PROCEEDINGS

OF THE

TRAVANCORE

SRI CHITRA STATE COUNCIL

Vol. XV

DATA ENTERED

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TRIVANDRUM:
PRINTED BY THE SUPERINTENDENT, GOVERNMENT PRESS,
1942

INDEX

TO THE
PROCEEDINGS
OF

THE TRAVANCORE SRI CHITRA STATE COUNCIL,

VOLUME XV.

(Nos. 1 to 6.)

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PROCEEDINGS

of

THE TRAVANCORE SRI CHITRA STATE COUNCIL

(*OFFICIAL REPORT.*)

SECOND COUNCIL.

VOLUME XV—NUMBER 1.

SIXTH SESSION—1115/1940.

Monday, the 16th Makaram 1115/29th January 1940.

The Travancore Sri Chitra State Council met in the Legislative Chamber, Public Offices, at eleven of the Clock, with Sachivottama Sir C. P. Ramaswami Aiyar, K. C. I. E., LL. D., Dewan-President, in the Chair.

MEMBERS SWORN.

The following members took the oath and signed the Rolls :—

1. Mr. C. V. Chandrasekharan (*Pro-Vice-Chancellor University of Travancore.*)
2. Mr. M. S. Doraswami Aiyangar (*Chief Engineer.*)
3. Mr. M. Govinda Pillai (*Financial Secretary to Government.*)
4. Mr. Puthupally S. Krishna Pillai (*Legal Remembrancer to Government.*)
5. Mr. G. Narayanan Tampi (*Secretary to Government.*)
6. Mr. M. K. Nilakanta Aiyar (*Chief Secretary to Government.*)
7. Dr. G. D. Nokes (*Public Service Commissioner.*)
8. Mr. T. W. U. Park (*Travancore Planters.*)
9. Dr. S. K. Pillai (*Technical Assistant to the Director of Development.*)
10. Mr. M. Ramachandra Rao (*Land Revenue and Income Tax Commissioner.*)
11. Mr. K. Sankaran (*Ag. Secretary to Government.*)

G. P. T. 2004. 350. 2-8-115.

QUESTIONS AND ANSWERS.

Statement by caste of Deputy Tahsildars etc.

1. ***Mr. K. M. Kesavan** (*Karunagapalli, Kartikapalli, and Ambalapuzha* cum *Shertallai*): Will the Government be pleased to lay on the table a statement by caste of:

(*a*) Deputy Tahsildars ; and

(*b*) Taluk Supervisors in service on 1-4-1115 ?

Mr M. Ramachandra Rao (*Land Revenue and Income Tax Commissioner*): The statement *required is laid on the table.

Mr. K. M. Kesavan : With reference to the answer to part (a) may I know why there is not a single Deputy Tahsildar from the Ezhava community ?

Mr. M. Ramachandra Rao : It is a matter of accident. But it may be noted that there are 4 Revenue Supervisors who belong to the Ezhava community.

Mr. Kottur Kunjukrishna Pillai (*Quilon* cum *Kunnathur*): May I know whether the Deputy Tahsildars are recruited direct or by promotion ?

Mr. M. Ramachandra Rao : There is no direct recruitment of Deputy Tahsildars.

Mr. E. K. Kuriyppe (*Parur, Kunnatnad and Muvattupuzha* cum *Devicolam*): റവന്യൂ സൂപ്പർവൈസർമാരായി ൨൮ പേരെ നിയമിച്ചു കാണുന്നു. അതിൽ ഒരു കത്തോലിക്കനേയും നിയമിച്ചു കാണാതിരിക്കുന്നതിന് കാരണമെന്താണ് ?

Mr. M. Ramachandra Rao: I have to give the same answer, Sir, that it is a matter of accident.

Kayenkulam-Muttom road.

2 ***Mr. K. M. Kesavan :** Will the Government be pleased to state whether since the last Budget Session of the Legislature any repair was done to Kayenkulam-Muttom road in Kartikapalli taluk ?

Mr. M. S. Doraswami Aiyangar (*Chief Engineer*): Yes.

Mr. K. M. Kesavan: May I know the nature of the repairs done on this road ?

Mr. M. S. Doraswami Aiyangar: Sometime back a length of one and a half miles of this road was gravelled and the other repairs were in the nature of ordinary maintenance work.

**Vide* Appendix...page 11.

Judges.

3. ***Mr. K. M. Kesavan**: Will the Government be pleased to lay on the table a list of (*a*) Second Judges ; (*b*) District Judges and (*c*) High Court Judges, now in service, by caste ?

Mr. Puthupally S. Krishna Pillai (*Legal Remembrancer to Government*): A *statement containing the information required is laid on the table.

Chitra Coins.

4. ***Mr. K. M. Kesavan**: Will the Government be pleased to state, in the light of the "Chitra" having been made legal tender:

(*a*) whether they propose to get down machines to coin them in the Government Mint ;

(*b*) if they do not, why not ?

Mr. M. Govinda Pillai (*Financial Secretary to Government*): (*a*) The answer is in the negative.

(*b*) The machines required for minting all kinds of coins have lately been purchased.

Chitra Coins.

5. ***Mr K. M. Kesavan**: In view of the fact that the "Chitra" having been made legal tender, will the Government be pleased to state:

(*a*) whether the Government propose to get down the necessary machines for minting them ; and

(*b*) what will be the approximate cost of such machines ?

Mr. M. Govinda Pillai: (*a*) The member is referred to the answer given to Part (*a*) of interpellation No. 4

(*b*) This does not arise.

Dr. H. Parameswaran.

6. ***Mr. K. M. Kesavan**: Will the Government be pleased to state:

(*a*) when Dr. H. Parameswaran's services were borrowed to the University of Travancore as Professor of Applied Physics ;

(*b*) when did his term of service end ;

(*c*) if it ended, when was he appointed Secretary to the Public Service Commissioner ;

(*d*) what was his salary before ; and

(*e*) what is it at present ?

Mr. M. K. Nilakanta Aiyar (*Chief Secretary to Government*): (*a*) 4th December 1937/19th Vrischigom 1113.

(*b*) His services in the University terminated on the 3rd December 1939.

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*Vide Appendix II—page 12.

[Mr. M. K. Nilakanta Aiyar.]

(c) 4th December 1939.

(d) Salary including house rent and leave and pensionary contribution Rs. 1603-3-8 per mensem.

(e) Bh. Rs. 1050 as detailed below :—

Salary as Controller of Stationery and Printing and Ex-officio Secretary, Stores Purchase Committee — ...	Rs, 500-0-0
Salary as Secretary to the Public Service Commissioner — ...	Rs. 568-21-0
	Rs. 1068-21-0

Road from Bhagavathipadikkal to Pathiyur temple.

7. *Mr. K. M. Kesavan: Will the Government be pleased to state :

(a) whether the bad condition of the road from Bhagavathipadikkal to Pathiyur temple (in Karthikapalli taluk) has reached the attention of the Public Works Department ;

(b) if it has, will the Government be pleased to state whether the rain damages caused to the road during the last month of Thulam have been repaired ; and

(c) if not, when are they going to repair them ?

Mr. M. S. Doraswami Aiyangar : (a) Yes.

(b) Yes.

(c) This does not arise in view of answer to part (b),

Arrears of land tax.

8. *Mr. K. M. Kesavan: Will the Government be pleased to state .

(a) the amount of arrears of land tax at the beginning of 1115 in each pakuthi of the Karunagapalli taluk ;

(b) the area of each pakuthi ;

(c) the number of 'thandapers' in each pakuthi ;

(d) the number of accountants in each pakuthi ;

(e) whether they have noticed that generally the greater the pakuthi the greater is the accumulation of arrears of land tax ;

(f) if the answer is in the affirmative, whether they have thought out any remedy for this state of affairs ; and

(g) if so, what it is ?

Mr. M. Ramachandra Rao : (a) to (d) A *statement furnishing the information is laid on the table.

(e) No.

(f) and (g) In view of the answer to part (e) this does not arise.

* Vide Appendix III.—page 13.

State Transport.

9 ***Mr. K. M. Kesavan :** Will the Government be pleased to state whether they propose to extend the State Motor Transport on the Trivandrum-Kottayam line and on the Quilon-Alleppey line?

Mr. K. Sankaran (*Ag. Secretary to Government*): Yes.

Mr. T. Krishna Pillai (*Kalkulam and Vilavankod cum Neyyattinkara*): May I know, Sir, whether any fresh appointments of drivers and conductors were made by the department?

Mr. K. Sankaran · New appointments will be made.

Mr. T. Krishna Pillai : May I know whether there is a waiting list of conductors and drivers at present?

Mr. K. Sankaran : I claim notice.

Mr. T. Krishna Pillai : May I know, Sir, whether special consideration will be given to those on the waiting list if there is a waiting list?

Mr. K. Sankaran : No such undertaking can be given as the power to appoint vests solely in the Superintendent of the Transport Department.

Mr. T. Krishna Pillai : May I know whether an assurance was given to the drivers and conductors in the Quilon, Alleppey and Kottayam line that special consideration will be given to them overlooking the claims of those in the waiting list?

Mr. K. Sankaran : No such undertaking has been given.

Mr. K. K. Kuruvilla (*Mavelikara and Tiruvella cum Pathanamthitta*): May I know whether any rules are being observed for the selection of drivers and conductors?

Mr. K. Sankaran : No special rules have been laid down.

Mr. K. K. Kuruvilla : Is it not necessary that there should be rules for the purpose?

Mr. K. Sankaran : The Superintendent is expected to bear in mind the necessary qualifications in the matter of selecting the persons.

Mr. K. K. Kuruvilla : Has he any directions from Government?

Mr. K. Sankaran : No particular directions have been issued, but there is a general understanding that only properly qualified candidates will be selected.

Difficulties in treasury remittances.

10. ***Mr. M. K. Ananthasiva Aiyar** (*Nominated*) : Will the Government be pleased to state :

(*a*) whether difficulties are being experienced by the officers whose offices are at places where there are no treasuries, in the matter of remittances ;

[Mr. M. K. Ananthasiva Aiyar.]

(*b*) what action has been taken by them to avoid such difficulties; and

(*c*) have the Government considered the desirability of empowering Anchal Masters to receive such remittances?

Mr. M. Govinda Pillai: (*a*) The answer is in the negative.

(*b*) and (*c*) In view of the answer to part (*a*) these do not arise.

Constituting Kuttanad as a separate taluk.

11. ***Mr. M. K. Ananthasiva Aiyar**: Will the Government be pleased to state:

(*a*) whether they have received representations from the people of Kuttanad that Kuttanad should be made a separate taluk; and

(*b*) whether any action has been taken by Government upon such representations?

Mr. M. Ramachandra Rao (*a*) Yes.

(*b*) They were recorded as they did not convey a practicable proposition.

Mr. M. K. Ananthasiva Aiyar: May I know, Sir, whether Government are aware that the Kuttanad area comes under various taluks?

Mr. M. Ramachandra Rao. Yes.

Mr. M. K. Ananthasiva Aiyar: May I know, Sir, whether Government are aware that the physical features also of this area are different from the rest of the portions of the taluk?

Mr. M Ramachandra Rao: yes.

Mr. M. K. Ananthasiva Aiyar: May I know, Sir, whether practical difficulties are being experienced by the Kuttanad people in not having a separate taluk?

Mr. M. Ramachandra Rao: When this matter was brought up once before, it was explained that the question of having a separate taluk for Kuttanad could not be taken into consideration till the next revenue settlement.

Use of milled rice.

12. ***Mr. G. Narayana Aiyar** (*Parur, Kunnatnad and Muvattupuzha* cum *Devicolam*): Will the Government be pleased to state:

(*a*) whether milled rice is being used in Oottupuras and Government managed temples and jails; and

(*b*) if the answer to part (*a*) is in the affirmative the total quantity of milled rice used in all the temples under Government management as well as in the Oottupuras and jails under Government in 1113 and 1114 specifying the total amount used in Oottupuras, jails and temples?

Mr. M. K. Nilakanta Aiyar : (*a*) Milled rice is used for *Sadyas* in temples and Oottupuras. It is not used in the Central Prison.

(*b*) The average annual quantity of milled rice used in all the Government temples and Oottupuras is about 22,400 paras.

Mr. G. Narayana Aiyar : As regards the answer to part (*a*) may I know whether milled rice is not being used in sub-jails?

Mr. M. K. Nilakanta Aiyar : It is being used in sub-jails.

Mr. G. Narayana Aiyar : What will be the quantity of such rice used in sub-jails?

Mr. M. K. Nilakanta Aiyar : About 10,000 paras, in jails.

Mr. G. Narayana Aiyar : May I know whether milled rice has been declared to be not as good for consumption as hand-pounded rice?

Mr. M. K. Nilakanta Aiyar : Hand-pounded rice is considered to be more nutritious.

Mr. G. Narayana Aiyar : May I know why milled rice has been used for consumption when it is known that hand—pounded rice is better than milled rice?

Mr. M. K. Nilakanta Aiyar : Contractors are engaged for the supply of rice and they supply milled rice.

Mr. G. Narayana Aiyar : May I know whether Government have not got any discretion to compel them to supply the best quality of rice or is it left to the will and pleasure of the contractors to supply whatever rice they chose?

Mr. M. K. Nilakanta Aiyar : The supply is made according to the agreement.

Mr. G. Narayana Aiyar : May I know from the member whether according to the terms of the agreement the contractors are bound to supply milled rice or hand-pounded rice?

Mr. M. K. Nilakanta Aiyar : They must supply rice of good quality.

Mr. G. Narayana Aiyar : Is it then the view of Government that milled rice is as good as or better than hand-pounded rice?

Mr. M. K. Nilakanta Aiyar : It is not a question of comparison at all. Both milled rice and hand-pounded rice may be equally good.

Mr. G. Narayana Aiyar : May I know from the member whether a very large proportion of the population is not engaged in this hand-pounding business?

Mr. M. K. Nilakanta Aiyar : It was the case some 30 or 40 years ago but it is not the case now.

Mr. G. Narayana Aiyar; May I know whether other Governments have condemned milled rice and issued orders to use hand-pounded rice?

Mr. M K. Nilakanta Aiyar: Government are not aware.

Mr. C. V. Chandrasekharan (*Pro-Vice-Chancellor University of Travancore*): I would suggest that the honourable member may consult Dr. Aykroyd who is here.

President: He cannot, as Dr. Aykroyd is not a member of this House.

Mr. M. K. Ananthasiva Aiyar: May I know whether there is not a paucity of workmen for hand-pounding rice?

Mr. M. K. Nilakanta Aiyar: That is a fact.

Electric lights for Perumbavoor.

13. ***Mr. G. Narayana Aiyar**: Will the Government be pleased to state:

(*a*) whether there was any requisition from the inhabitants of Perumbavoor town for providing them with electric light;

(*b*) if the answer to part (a) is in the affirmative when was such requisition made;

(*c*) whether Government have accorded any sanction for providing the town with electric light;

(*d*) if the answer to part (*c*) is in the affirmative when was the sanction accorded and the reasons for the delay in providing the town with light; and

(*e*) if the answer to part (*c*) is in the negative what were the reasons for the same?

Mr. M. K. Nilakanta Aiyar: (*a*) Yes; there was a requisition from Mr. G. Narayana Aiyar.

(*b*) 6th Chingom 1115.

(*c*) No.

(*d*) In view of reply to (c) this does not arise.

(*e*) The matter is under consideration.

Mr. G. Narayana Aiyar: With regard to the answer to part (c) may I know why the sanction of Government was not accorded yet?

Mr. M. K. Nilakanta Aiyar: It was not applied for.

Mr. G. Narayana Aiyar: What was the nature of the requisition referred to in the answer to part (a)?

Mr. M. K. Nilakanta Aiyar: Mr. G. Narayana Aiyar put in a petition to the Electrical Engineer saying that the supply of electrical energy should be extended to Perumbavoor.

Mr. G. Narayana Aiyar: May I know whether the petition has been pending before Government?

Mr. M. K. Nilakanta Aiyar: The petition has not come up to Government. The Electrical Engineer made the necessary enquiry.

Mr. G. Narayana Aiyar: May I know what was the result of the enquiry?

Mr. M. K. Nilakanta Aiyar: The Electrical Engineer has found that the scheme is worth considering and that when funds are available, steps may be taken to extend the supply of the current to Perumbavoor also.

Mr. G. Narayana Aiyar: May I know whether there is not at present more energy than is necessary at Alwaye?

Mr. M. K. Nilakanta Aiyar: I have no information.

President: It may be so now, but in ten or twelve years more it will be different.

Inspectors and Conductors in the Transport Department.

14. ***Mr. K. M. Kesavan**: Will the Government be pleased to lay on the table a statement by caste of Inspectors and Conductors employed in the State Transport Department?

Mr. K. Sankaran: The member is referred to the answers at pages 100 to 105 of Vol. XII, No. 3 of the Proceedings of the Sri Mulam Assembly.

Mr. K. M. Kesavan: May I know how it is possible to refer to the volume and pages indicated in the answer if the answer is laid on the table only 30 minutes earlier?

Mr. K. Sankaran: Though the reference is given I may for the information of the member say that the Transport Department being essentially a Commercial Department, in the matter of recruitment to that Department, communal considerations do not ordinarily arise.

Mr. T. Krishna Pillai: I rise to a point of order. The member in his answer has referred to a document which is not in our possession now.

President: Technically, I think, the Hon. Member's point of order is correct; because references may be made to the proceedings in this House but not to the proceedings in the other House. But there has been a certain amount of relaxation in regard to this.

Statement by caste of Inspectors and Conductors.

15. ***Mr. K. M Kesavan:** Will the Government be pleased to lay on the table a statement by caste of Inspectors and Conductors in the Transport Department on 1-4-1115?

Mr. K. Sankaran: The member is referred to the answers at pages 100 to 105 of Vol. XII, No. 3 of the Proceedings of the Sri Mulam Assembly.

Siddha Medicines.

16. ***Mr. M. Sultan Muhiadheen:** (*Trivandrum and Nedumangad* cum *Chirayinkil*): Will the Government be pleased to state:

(*a*) whether any medicine prepared as per siddha system is available for sale or distributed in any of the Ayurvedic Departmental sales depots or hospitals; and

(*b*) if so, to lay on the table a list of such medicines?

Mr. G. Narayanan Tampi (*Secretary to Government*):

(*a*) No.

(*b*) In view of the answer to part (*a*), this does not arise.

Appendix I.

Vide Answer to Question No. 1.

Castewar statement of Deputy Thasildars and Revenue Supervisors in service on 1-4-1115.

Caste.	Deputy Thasildars.	Revenue Supervisors.
I. (1) Brahmin	7	3
(2) Nair	14	10
(3) Other caste Hindu	2	2
(4) Kammala	...	...
(5) Nadar	...	...
(6) Ezhava	...	4
(7) Cheramar	...	...
(8) Other Hindu	1	...
II. Muslim	1	1
III. Christians		
(1) Marthomite	1	2
(2) Jacobite	2	4
(3) Latin Catholic	1	...
(4) Syriac Catholic	1	...
(5) S. I. U. Church	...	2
(6) Other Christian	...	...
Total	30	28

Appendix II.

Vide, Answer to Question No. 3.

Statement, by caste, of (*a*) Second Judges (*b*) District Judges and (*c*) High Court Judges, now in service.

	Second Judges	Remarks.	District Judges.	Remarks.	High Court Judges.	Remarks.
A. HINDU.						
1. Brahmin	3	1 Temporary 2 Acting	..	..	2	
2. Nair	2	1 Temporary 1 Acting	3	(1 on other duty as Ag. Judge, High Court)	2	1 Acting, 1 on other duty as Federation Special Officer.
3. Kammala	..	..	..	..	..	
4. Nadar	..	..	..	..	..	
5. Ezhava	1	Temporary on other duty as Ag. Secretary to Government	..	..	..	
6. Cheramar	..	..	..			
7. Other Hindu	3	2 Temporary and 1 on other duty as Ag. District Judge.	1	(Acting)		
B. MUSLIM.	1	..	..	..	..	
C. CHRISTIAN.						
1. Jacobite	2	(2 Acting)	2	(1 on other duty as Ag. Judge, High Court)	1	(Acting).
2. Marthomite	..	..	..	..	..	
3. Syriac Catholic	1	(On other duty as Ag. District Judge)	1	(Acting)	1	
4. Latin Catholic	..	..	1	..	..	
5. South Indian United Church	..	..	..	..	..	
6. Other Christian	1	(On other duty as Ag. District Judge)	1	(Acting and now on other duty as Chief Conciliation Officer)	2	(1 on other duty as Public Service Commissioner)

Appendix III.

Vide Answer to Question No. 8.

Statement showing the amount of arrears of land tax at the beginning of 1115 in the Karunagapalli taluk with details as to the area, thandapers and the number of accountants in each of the pakuthies.

Pakuthi.	Arrears of tax at the beginning of 1115.			Area in sq. miles.	Number of Thandapers.	Number of Accountants.
	Rs.	Ch.	C.			
1. Thekkumbhagom	1,723	11	3	7·82	6512	1
2. Chavara	6946	23	8	4·62	8972	1
3. Ponmana	11,275	8	12	6·57	12617	2
4. Thevalakara	4,637	24	9	6·23	9853	1
5. Mynagapally	6,079	5	2	7·61	7242	1
6. Thodiyur	5,592	8	13	8·00	8690	1
7. Karunagapally	3,020	27	3	8·20	11229	2
8. Kulasekarapuram	5,598	3	5	7·31	11809	1
9. Thazhava	5,847	24	11	9·18	9449	1
10. Krishnapuram	17,687	24	11	9·61	12444	2
11. Perunad	11,505	10	0	6·06	9396	1
12. Puthupally	10,432	10	4	7·78	9136	1

ADJOURNMENT MOTIONS.

President: I have received notice of two motions for adjournment of the House. One is from Mr. M. K. Ananthasiva Aiyar, to discuss an urgent matter of public importance, *viz.*,

> "The serious and alarming situation caused on account of the havoc done to Punja cultivation in Kuttanad by the unprecedented floods and the rice swarming caterpillar pest."

The motion is in order and it will be taken up this after-noon at the usual time.

The second adjournment motion is from Mr. Kottur Kunjukrishna Pillai and is for the purpose of discussing,

> "The serious situation created by rat falls in the town of Quilon."

I hold that the motion is in order and the discussion will take place to-morrow at the usual time. I trust that the discussion will elucidate the steps Government have been taking and allay any misunderstandings that might have been created in the public mind.

BILLS ASSENTED TO BY HIS HIGHNESS THE MAHARAJA.

Secretary: I beg to report that the following Bills received the assent of His Highness the Maharaja :—

1. The Travancore Insurance Bill.
2. The Travancore Telephone Bill.
3. The Travancore Krishnanvaka Marumakathayee Bill.
4. The Travancore Negotiable Instruments Act Amendment Bill.
5. The Travancore Contract Bill.
6. The Travancore Arbitration Bill.
7. The Travancore Partnership Bill.
8. The Travancore Specific Relief Bill.
9. The Travancore Sale of Goods Bill.

STATEMENT LAID ON THE TABLE.

Mr. M. Govinda Pillai: Sir, under Rule 76 of the Travancore Legislative Rules, I beg to lay on the table the following statement of expenditure authorised by the Government under Section 32 of Act IIof 1108.

Demand.	Amount in Rupees.	Particulars.
	IN THE BUDGET FOR 1114.	
III. Public Health and Sanitation.	14,900	For Plague preventive work.
do.	15,000	do.
do.	3,000	For Malaria relief measures in South Travancore.
VIII. Administration of Justice.	1,000	For the continuance of the Special Magistrate's Court at Kottarakara.
XV. Police.	1,147	To meet the additional expenditure under—18-Inspector-General of Police—Travelling allowances.
XXIX. Stationery and Printing.	2,000	To meet the additional expenditure under permanent piece work establishment in the budget of the Government Press.
	IN THE BUDGET FOR 1115.	
I. Land Revenue	4,730	To meet the expenditure under Land Acquisition charges.
XI. Public Works Department including Water Works and Drainage.	82,000	For works to relieve unemployment due to closing down of factories at Alleppey and Quilon.
XX. Forest.	34,000	To meet the expenditure on account of the purchase of chemicals, timber-slicing machine etc., for the Development Department.
XXVIII. Scientific and Miscellaneous Departments	25,446-12-0	For the purchase of 8 Roerich paintings for the Sri Chitralayam.
XXIX. Miscellaneous Charges.	270	For the payment of allowances to the Punja Loan Officer and staff.
XXXII. Loans—Agricultural—Loans.	50,000	For the grant of special Punja Loans for the ryots of Kuttanad.
XIII. Police.	17,000	For the continuance of the Special Police Force for 3 months from 1-5-1115.

PANEL OF CHAIRMEN.

President: Under Rule 3 (i) of the Legislative Rules I nominate Messrs. V. S. Arumukhom Pillai and G. Narayana Aiyar to the Panel of Chairmen for this session of the Council.

DEMANDS FOR SUPPLEMENTARY GRANTS.

DEMAND III—ADMINISTRATION OF JUSTICE.

Mr. Puthupally S. Krishna Pillai: Sir, I move for a grant of Rs. 1,675 under Demand III,—Administration of Justice. Honourable members will kindly note that Rs. 800 out of this is for additional grant under T. A. for the Advocate General's Office and Rs. 875 is for the appointment of a temporary Government pleader to conduct the Chengannur riot case in the Quilon Sessions Court.

I may be permitted, Sir, to state that towards the close of 1114 and in 1115 the Government pleaders attached to the Advocate General's Office had to be deputed to various mofussil stations for the conduct of criminal cases. They had to be deputed for various reasons. In the first place the congestion of work in the courts was so great that pleaders from the Advocate General's office had to be deputed for relieving the pressure. Secondly, owing to the peculiar nature of some cases such pleaders have to be deputed. Therefore for their T. A. and daily allowance an additional sum of Rs. 800 is claimed under this demand. Item No. 1 is in regard to that demand.

As regards Item No. 2, the trial of the Chengannoor riot case has already commenced in the Quilon Sessions Court and on account of the fact that there are over 200 accuseds under trial in that case and about 146 witnesses to be examined for the prosecution, one of the two pleaders of the court has to devote his attention entirely to the conduct of this work for 3 or 4 months. During that period for the conduct of the ordinary business of the court only one Government Pleader will be available and this will not be sufficient. There are two courts engaged in Sessions and Civil work. So an additional hand has to be engaged for the period during which the Chengannoor case lasts. These are the circumstances under which this supplementary demand is made.

Mr. K. K. Kuruvilla: Sir, I cannot but place this fact before the House that there are not enough work for the pleaders now as there are more Judges than are necessary. For example in Kottayam, there are more Judges than we need. If that is true we may have more Government Pleaders. So my submission is that the number of Judges may be reduced as a result of which the number of Government Pleaders can also be reduced. If their number is not reduced, at least these pleaders can be engaged for these special works.

Mr. Puthupally S. Krishna Pillai: Sir, I tried to explain the position with sufficient clearness. The Chengannur riot case has already commenced trial. It is a case in which 200 accuseds and 146 witnesses are involved. The case itself will take at least 4 months. A court and a pleader have to devote their entire time to the conduct of this case. There are already 3 courts in the Quilon District, one of which will be in charge of this case. The other two courts cannot suspend sittings. One Judge will be fully engaged in the sessions work while the execution work and the other civil work will be looked after by the other bench. If that is so, one pleader is inadequate. The honourable member's suggestion that we have more courts than we actually require and therefore more pleaders than are really necessary is worth considering. For every District Court there must be a pleader, and until any court is abolished there is no question of superfluity of Government pleaders. At present the question of abolishing courts and making available the services of any pleader for any other special work could not be dealt with. I have explained why an additional pleader is necessary for the Quilon Court. I request the honourable member will withdraw his objection. The other question to which the honourable member refers is more complex and will be dealt with later.

President: The question before the House is that a sum of Rs. 1,675 under demand III—Administration of Justice—be granted.

The motion was put and carried.

The grant was made.

DEMAND X—PUBLIC HEALTH AND SANITATION.

Mr. G. Narayanan Tampi: Sir, I rise to move for a supplementary grant of Rs. 1,000 under Demand X—Public Health and Sanitation.

The amount is required for payment of rent for the building in which the office of the Director of Public Health is now housed. Till the beginning of Kanni this year, the office had been housed in a Government building near the Collegiate Hostel. That building was requisitioned by the University for the use of the University Union. It was therefore, handed over to the University and the Director's office shifted to another building. As no Government building was available for the purpose, a private building, situated very near the Public Offices, has been hired. The terms are more favourable than those that prevailed when another office had been accommodated in this building. As this is a new service not contemplated when framing the budget, I hope the House will have no objection in sanctioning the grant.

President: The question before the House is that a sum of Rs. 1,000 under Demand X—Public Health and Sanitation be granted.

The motion was put and carried.

The grant was made.

DEMAND XI—PUBLIC WORKS DEPARTMENT INCLUDING WATER WORKS AND DRAINAGE.

Mr. M. S. Doraswami Aiyangar: Sir, I move for a grant of Rs. 4,13,767 under the following heads:

(i) Repairs to rain damages to tanks and channels in the Kodayar Project—Rs. 18,900.

(ii) Repairing the buildings at Oolampara for the accommodation of the Armed Reserve—Rs. 17,000.

(iii) Expenditure on account of the P. W. D. Advisory Committee—Rs. 1,860.

(iv) Additional grant for the Water Works and Drainage Schemes in the State—Rs. 3,76,007.

In moving this motion I may explain the position relating to each of these items. Government have sanctioned the constitution of a Committee for improvements and restoration of tanks within the area commanded by the Kodayar Project. A sum of Rs. 25,000 was made available in the Budjet for 1115 for such works. The Committee *inter alia* earmarked the whole of this amount for improvements of some tanks. It is found during the month of Medom 1114 a lot of rain damages occurred in about 40 tanks and repairs have been undertaken and a sum of Rs. 9,000 is necessary for completing the works in those tanks. Further, during Thulam 1115 many breaches occurred in other Kals and tanks. For effecting the necessary repairs to these a sum of Rs. 5,000 is for the present found necessary. In addition to these, for the acquisition of tank beds which have to be improved for purposes of irrigation, for meeting compensation charges nearly Rs. 4,900 is necessary. These items account for Rs. 18,900 which has now been asked for under this head.

The next item is repairs to the buildings at Oolampara for the accommodation of the Armed Reserve. The permanent Armed Reserve had to be increasd by about 500 men who had to be recruited owing to the political situation and these men were first accommodated in the Police Headquarters. Then they were shifted to the Old Brigade Barracks. But these buildings were required for the use of the Travancore University. The buildings there had therefore to be vacated. Now the buildings which were previously

occupied by the lepers at Oolampara were lying vacant and consequently these buildings have been proposed to be put in order and made fit for accommodation for these 500 men. A sum of Rs. 17,000 is required for this. A sum of Rs. 11,000 has already been spent and finishing works are in progress.

The third item is the expenditure to be met on account of the P. W. D. Advisory Committee. A committee has been constituted by Government in the year 1115 for advising Government in P. W. D. matters. It was proposed to convene three meetings of the commitee during the current year. One meeting has already been held and there are two more meetings to be held. In order to meet the expenditure on account of T. A. to the members and for contingencies of the office, a sum of Rs. 1,860 is required.

With regard to the last item *viz.*, the Water Works, a sum of Rs. 3,76,007 is found to be required. With regard to the Alleppy Water Works, the present allotment of Rs. 82,786 will be only sufficient for the discharge of liabilities incurred on account of supply of pipes and fittings made and the work done during the last year and will not admit of taking up the necessary remaining works for the completion of the scheme this year itself. But this could not be done on account of various reasons. Now, the necessary materials had not so far arrived on account of war conditions, but they are expected to arrive and so it is necessary to continue the staff till the end of the current year. Therefore to meet the charges of the staff for the additional period a sum of Rs. 8,000 is required and for meeting the liability incurred last year and works to be done further, Rs. 1,00,000 is necesssry.

A sum of Rs. 37,293 has been provided for Water Works at Shencotta in the Budget. Out of this a sum of Rs. 18, 000 has to be set apart for paying off certain liabilities incurred in 1114. The balance available for actual expenditure on works in 1115 is found to be inadequate. An additional amount of Rs. 18, 007 is required for completing the works.

Again, the budget provision under the Nagercoil Water Supply is nearly Rs. 3,40,000 out of which a sum of Rs. 65,200 was incurred during 1114. That was not provided for in the budget for 1115. The balance available for actual expenditure on works in 1115 *viz.*, Rs. 2,75,000 is inadequate to maintain satisfactory progress of the works. Owing to the fact that all the minor difficulties which had upset the progress of the work during last year have all been now solved, we are in a better position to make headway with the balance works yet to be done in the dam and in the distribution system. The total amount asked for towards these works and for purchase of tools and plant is Rs. 2,50,000 for Nagercoil Water Works. So, under all these heads the gross total comes to Rs. 3,76,007. I request the honourable House to grant this demand.

Mr. G. Narayana Aiyar: As regards item No. 1 *viz.*, "repairs to rain damages to tanks and channels in the Kodayar Project" may I know whether there was not a provision for the repair of breaches that took place in Medom last in the Budget?

Mr. M. S. Doraswami Aiyangar: There was a provision out of which about Rs. 9,000 lapsed at the end of the year.

Mr. Kochikal P. Balakrishnan Tampi (*Karunagapalli, Kartikapalli, and Ambalapuzha* cum *Shertalla*): May I know whether the Chief Engineer hopes to give good drinking water to the people of Alleppey during the current year?

Mr. M. S. Doraswami Aiyangar: I expect to do so this year. It was hitherto delayed on account of the non-arrival of chlorination plants. But I have this day received news of their arrival in Bombay and I am therefore glad to be able to assure the honourable member to complete the work and distribute water to the people this year itself.

Mr. V. Sankara Menon (*Trivandrum and Nedumangad* cum *Chirayinkil*): In regard to item 1, may I know whether any repairs to tanks have been completed or still remain incomplete?

Mr. M. S. Doraswami Aiyangar: Some have been completed and thework in connection with some others is in progress.

Mr. V. Sankara Menon: May I know, how many are complete and how many are incomplete?

Mr. M. S. Doraswami Aiyangar: Detailed information is not available now.

Mr. V. Sankara Menon: My I know whether the majority of works have been completed?

Mr. M. S. Doraswami Aiyangar: The majority of the works have been completed.

Mr. K. K. Kuruvilla: Sir, I rise to propose a cut of......

Mr. Kochikal P. Balakrishnan Tampi: Sir, on a point of order. Is this House entitled to cut a supplementary demand?

President: Technically a cut on the whole demand is not permissible under the rules.

Mr. K. K. Kuruvilla: Sir, the object of my cut motion is this. In going over the Audit and Appropriation Report I find that a sum of 20 to 25 thousand Rupees was sanctioned for Water Works for the Kuttanad area. I ask how the money was utilised. It is stated that about Rs. 5,000 was spent in that area for Water Works. I had occasion to pass through the area. On enquiry I

find that no man was able to enlighten me as to the place where this amount was spent. Therefore I submit that this amount of Rs. 20,000 budgetted in 1113 for the Kuttanad area may be utilised for this purpose.

Mr. M. S. Doraswami Aiyangar : Sir, I might explain the position to Mr. Kuruvilla. The idea is to provide deep bore wells in many parts of the Kuttanad area. We want for this some boring plant and we have been corresponding with this object in view from the year 1113. We have got quotations for the boring machinery from responsible firms. The boring plant now received will be immediately utilised in Alleppey in order to make some reserve wells so that the water supply started there once does not get interrupted. After it is started there, we will transfer the boring plant for the use of the Kuttanad area and we will begin a regular programme of work to provide that area with water. This will be done in consultation with the local members as far as possible.

Mr. N. Krishna Aiyar (*Vaikom, Kottayam, and Changanacherry* cum *Peermade*) : As regards item 3, may I know from the honourable member whether the formation of this Advisory Committee was not in contemplation even when the Budget for 1113 was prepared ?

Mr. M. S. Doraswami Aiyangar : It was announced only during the last session.

President : Towards the end of it.

The question before the House is that Government be granted a sum of Rs. 4,13,767 under Demand No. XI—Public Works Department including Water Works and Drainage.

The motion was put and carried.

The grant was made.

DEMAND XV—INDUSTRIES INCLUDING CLAY REFINING AND PORCELAIN FACTORY.

Mr. M. S. Doraswami Aiyangar : Sir, I beg to move for a grant of Rs. 20,000 under Demand No. XV—Industries including Clay Refining and Porcelain Factory, for completing P. W. D. works under progress in the Ceramic Factory at Kundara.

In moving this, I must state that in the Budget of the Ceramic Factory for 1115 funds were provided for the completion of the several items of expenditure entrusted to the P. W. D. As details regarding these items of expenditure could not be definitely known at the time of the Budget and as it is now found that the completion of the staff quarters and levelling and certain other works for

[Mr. M. S. Doraswami Aiyangar.]

starting the factory are necessary, a sum of Rs. 20,000 is now required under 'capital expenditure not charged to revenue'. Hence, I move for the grant.

Mr. V. Sankara Menon: Can the honourable member give us a brief account of the progress that has been achieved by the Ceramic Factory ?

Mr. M. S. Doraswami Aiyangar: Sir, all the works connected with the factory have been nearly completed.

President: The factory will be opened very soon. I am glad to say that all the first class quality clay produced by the factory is practically sold.

The question before the House is that Government be granted a sum of Rs. 20,000 under Demand XV—Industries including Clay Refining and Porcelain Factory.

The motion was put and carried.

The grant was made.

DEMAND XX—FORESTS INCLUDING DIRECTOR OF DEVELOPMENT.

Dr. S. K. Pillai (*Technical Assistant to the Director of Development*): Sir, I rise to move for a supplementary grant of Rs. 46,705 under Demand XX—Forests (including Director of Development). The sum is made up of expenditure under four items.

The first item is a supplementary demand for a sum of Rs. 3,500 required for the construction of a building for housing the proposed Sports Factory. The Development Department has been in correspondence with certain sports goods manufacturers for more than a year with a view to entering into negotiations for starting sports goods manufacture, such as making tennis rackets, badminton rackets etc., in Travancore. Now, Messrs. Northland Sports Works have come forward with a proposal. They will have to be granted the right to manufacture and sell sporting goods by erecting a factory at their cost. A rent free building for the factory has to be placed at the disposal of the firm for a period of five years and it will be their duty to train Travancoreans in the industry. A sum of Rs. 3,500 is required for this purpose and the building will remain as the property of Government. As negotiations in this matter between Government and the company are complete only now, the amount necessary could not be included in the Budget. Item No. 2 is for a grant required for adjusting the value of machinery ordered from England in 1114. There was a provision of Rs. 10,960 in the Departmental Budget for purchasing venus peeling machine, roller

feed, glue spreading machine and sanding machine. All these were ordered from Messrs. John Pickles & Son, Ltd., Engineers, England, in 1114 itself and payment against shipping documents was arranged through the Imperial Bank, London, in May 1939. There was some delay on the part of the firm in despatching the machines. On the fourth of August they presented the shipping documents relating to the roller feed, glue spreading and sanding machines at the Bank and demanded payment and provided that they would despatch the third machine towards the end of August 1939. As payment for all the three machines was arranged in a Bank it was enquired through their Trivandrum Branch whether part payments for the two machines could be made. By the time our reply reached London and payment was made, the financial year was out and thus payments for all the three machines were made only during 1115. The supplementary grant of Rs. 11,205 asked for is to adjust the value of these three machines.

Thirdly, an additional grant for the Development Department is required for the purchase of Ascu chemicals, etc. The sanctioned provision under this item is only Rs. 8,000. Out of this Rs. 4,071 has been spent for purchasing four tons of Ascu chemicals from the Ascu Supply Agency, Madras as per G. O. R. O. C. No. 8762/39 dated 15-11-39.

President: The honourable member will go a bit slow to enable honourable members to follow.

Dr. S. K. Pillai: Thus, the balance grant available is only Rs. 3,929. 16 tons of chemicals have been ordered from Messrs. Imperial Chemical Industries (India) Ltd., Cochin. Rs. 16,000 is approximately required for making payment to this. The balance provision under the item being only Rs. 3,929 another Rs. 12,000 is required. Also a sum of Rs. 2,000 is required for meeting office expenditure and miscellaneous expenditure, as the provision of Rs. 5,000 in the current year's budget is inadequate to meet the expenditure on account of this item.

The fourth item is for a grant of Rs. 18,000 for construction of rural bridges. At the time of the Budget estimate no information was available as regards the location and the number of rural bridges which have to be put up and therefore no provision could be made. Therefore the necessity for supplementary grant arose. A sum of Rs. 9,000 is required for three bridges. The department also undertook the construction of these three bridges, one at Sambur-vadakara, one at Chanthanthura and the third at Anchal. Hence the demand for the grant. I request the House to sanction the amount.

Mr. Kochikal P. Balakrishnan Tampi: May I know whether Messrs. Northland Sports have agreed to the training of Travancoreans in their factory proposed to be installed in Travancore?

Dr. S. K. Pillai: Yes.

Mr. Kochikal P. Balakrishnan Tampi: Is it a definite understanding or is it for the Travancoreans to pick up as they go along?

Dr. S. K. Pillai: It is agreed that Travancoreans will be trained and after five years the firm is to go away.

Mr. Kochikal P. Balakrishnan Tampi: What are the goods used for the manufacture of sports materials?

Dr. S. K Pillai: Travancore timber.

Mr. Kochikal P. Balakrishnan Tampi: What variety?

Dr. S. K. Pillai: Angil, (Dysoxylon Meleturni), Poochakuruvu (Celtis tetrandra), Willox, Sagaria Laurina etc. (*Laughter*)

Mr. N. Krishna Aiyar: Will the honourable member give the list of the rural bridges proposed to be constructed with particulars of the localities where they are to be put up?

Dr. S. K. Pillai: Sir, the list is not ready.

Mr. Kochikal P. Balakrishnan Tampi: Sir, may I know why the construction of the rural bridges comes under the Forest, instead of the P. W. D?

President: The bridges are constructed by the Development Department out of the materials given by the Forest Department.

Mr. K K. Kuruvilla: Sir, may I know how money can be asked for a thing about which the honourable member has no idea? He does not know where these bridges are to be put up.

Dr. S. K. Pillai: Sir, the demand relates to rural bridges just to be put up.

President: The Chief Engineer will please explain the position.

Mr. M. S. Doraswami Aiyangar: Out of the bridges that are proposed to be built by the Director of Development these bridges cost about Rs. 9,000. The construction of these three bridges was undertaken directly by the Director of Development at Samburvadakara, Chanthanthura and Anchal. The sites for other bridges are being selected by the P. W D. in consultation with the Revenue Department and the framework for these bridges have been got ready by the Director of Development

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in his workshop. These will be transferred to the respective sites when they are fixed. There is an understanding between the P.W.D. and the Director of Development to the effect that the abutment of the bridges and the foundations thereof will be done by the P. W. D. and the superstructure by the Development Department in order to complete the bridges. Under that understanding the bridges are now being got ready by the Director of Development and when we finally fix up the sites the abutment will be constructed by us and the bridges completed in the necessary places by the Development Department.

Mr. N. Krishna Aiyar: May I know how many bridges are proposed to be put up by the additional grant?

Mr. M. S. Doraswami Aiyangar: About 12.

Mr. Kottur Kunjukrishna Pillai: May I know whether the supplementary grant of Rs. 18,000 is for the construction of new bridges or for the transportation of frames, or is it for bridges that have already been finished?

Mr. M. S. Doraswami Aiyangar: Rs. 9,000 is for payment towards the three completed bridges at the three places mentioned already, and for the superstructure of about 12 bridges the balance Rs. 9,600 is asked for.

Mr. G. Narayana Aiyar: With reference to part (a), may I know what are the varieties of sports materials that will be manufactured in this factory?

Dr. S. K. Pillai: Tennis rackets, hockey sticks, polo sticks, cricket bats, badminton rackets, etc.

President: It has been found that our timber is good enough for all these and some firm has been found willing to carry on the work in Travancore.

Mr. G. Narayana Aiyar: May I know whether Government have entered into any agreement with that firm for the manufacture of these things?

Dr. S. K. Pillai: Yes, Sir.

Mr. G. Narayana Aiyar: As regards part (ii), may I know the purpose of these machinery proposed to be purchased?

President: Dr. Pillai will please explain the general trend of the tentative agreement arrived at.

Mr. Puthupally S. Krishna Pillai: Sir, the member only wants to know something about the machinery.

President: I thought it was machinery for the manufacture of sports goods.

Dr. S. K. Pillai: Sir, these three machines are got together for one purpose, that of plying Travancore timber,

President: The question before the House is that Government be granted a sum of Rs. 46,705 under Demand XX—Forests including Director of Development.

The motion was put and carried.

The grant was made.

DEMAND XXVII—STATIONERY AND PRINTING.

Mr. M. K. Nilakanta Aiyar: Sir, I beg to move for an additional grant of Rs. 50,000 under Demand XXVII—"Stationery and Printing", under item "Printing of Malayalam Readers and Copy Books."

In the year 1114, unlike in the previous years, Government took up the printing of forty items of text books on various subjects besides the usual Malayalam readers. This involved an additional expenditure of Rs. 35,438. This amount had to be met from the current year's allotment of Rs. 40,000. The balance left is thus only Rs. 4,000 and odd. At the time when the Budget was prepared Government had no idea as to the amount required since the printing was done mostly in private presses and since the bills were received only late. This year too text books have to be printed. Hence this additional allotment.

Mr. K. K. Kuruvilla: May I know from the Government who is responsible for the reading of proofs of these readers that are printed?

Mr. M. K. Nilakanta Aiyar: The Director of Public Instruction.

Mr. K. K. Kuruvilla: Sir, I do not know whether he has the time to go through these readers. Those of us who peruse the pages of these readers know that there are several mistakes in the pages of these readers.

Mr. M. K. Nilakanta Aiyar: There are a number of proof readers in the Government Press and they will do the proof correction work. There is a staff in the Director's Office also to scrutinise the work of the proof readers. Government are aware that some mistakes were committed last time. This was due mainly to want of time. Instructions have been issued to see that such mistakes are not repeated.

Mr. K. K. Kuruvilla: Sir, some of the mistakes committed are tremendous and Government should take care that such mistakes do not occur.

Mr. M. K. Nilakanta Aiyar: Government have issued instructions in the matter.

Mr. M. K. Ananthasiva Aiyar : May I know whether the proof readers are able to correct the inconsistencies contained in these books ?

Mr. M. K. Nilakanta Aiyar : No, Sir.

Mr. M. K. Ananthasiva Aiyar : May I know whether the Government are aware that there are inconsistencies in these books ?

Mr. M. K. Nilakanta Aiyar : Certain mis-statements have been brought to the notice of Government and the attention of the Director of Public Instruction has been drawn to them.

Mr. V. S. Arumukham Pillai (*Tovala* cum *Agasteeswaram*) : Are there not several sub-committees formed for the purpose of preparing these readers ?

Mr. M. K. Nilakanta Aiyar : Yes. These sub-committees work directly under the Director of Public Instruction.

Mr. M. K. Ananthasiva Aiyar : Are they not responsible for the correction ?

Mr. M. K. Nilakanta Aiyar : The honourable member is correct.

Mr. V. S. Arumukham Pillai : Are they paid any honorarium ?

Mr. M. K. Nilakanta Aiyar : Yes, they are paid some honorarium.

President : The question before the House is that Government be granted a sum of Rs. 50,000 under Demand XXVII—Stationery and Printing, under item 'Printing of Malayalam Readers and Copy Books."

The motion was put and carried.

The grant was made.

Mr. Puthupally S. Krishna Pillai : I request you, Sir, to exercise your powers in effecting some change in the order of the business for the day. I would suggest that the report of the Public Service Commissioner be taken up for consideration first and the report of the Public Accounts Committee taken as the last item.

President : I am in the hands of the House.

The motion was put and carried.

DISCUSSION OF THE REPORT ON THE WORKING OF THE PUBLIC SERVICE RECRUITMENT RULES.

Dr. G. D. Nokes (*Public Service Commissioner*) : Sir, I move that the Report on the working of the Public Service Recruitment Rules be taken into consideration.

[Dr. G. D. Nokes.]

In making that motion I have a few preliminary remarks to make. I would remind the House that the Government order of June 1935 provided in its final paragraph that the scheme outlined there should be worked for three years, after which it should be reviewed. The order did not provide that the scheme should be reviewed by the Legislature and in fact the final review must rest with Government. But Government thought it desirable to consult the Legislature, and to give it an opportunity of considering this important matter, and so the Report of the Public Service Commissioner to Government has been printed and circulated among the members of the House. In addition to the information contained in that report and previous administration reports which are in the possession of the members of the House, certain statistics showing at a particular date the number of candidates who having been recruited on the advice of my office, were then in service, have also been prepared by the departments and consolidated by my office. They have been printed and circulated among the members of the House. Further, the Administration Report of the Public Service Department for 1114 was prepared with special expedition so that Government have had an opportunity of passing orders on it. That report has also been printed and circulated for the use of the members of the House. The position therefore is that the members of the House have in their possession all the relevant facts and figures which may enable them to consider the problem before them.

It is a matter of common knowledge that in another place the Report on the working of the Rules has been considered and certain unanimous resolutions have been reached. It is not for me to suggest what resolutions this House should pass. But before Government pass any final order on this matter, it would be desirable that there should be unanimity of opinion not only within both Houses but between both Houses.

From the press and elsewhere it appears that there is some dissatisfaction with regard to the working of the existing Rules. I think, for the purpose of this debate, members might bear in mind the following points. In the first place, the original Rules, as framed, were framed, with the knowledge that it is difficult to satisfy everybody. Therefore I do not regard it as a reflection on the working of my department that it fails to satisfy everybody. Indeed, I should regard it as a miracle if it did so.

Secondly, a great change has occurred in the character of the criticism of the Rules. At one time every speaker was solely interested in communal representation; and nearly all comment was

directed to complaints that inadequate communal representation was allotted to this community or that sub-community. Now the principal criticism abandons the community in favour of the candidate without any apparent realisation of the fact that one may sometimes have to be sacrificed to the other. Hence the fact that the hitherto unrepresented communities have received about 65 per cent. of the available vacancies during the last three years is forgotten; and we hear the stories of the hardships of candidates. It may be that some hardship may be caused to a few candidates by the working of the Rules. But have members considered the hardships before the existence of the Rules which nearly every candidate underwent, by having to wait on numerous appointing authorities, to say no more?

Finally, I may say that the dissatisfaction (if there be any that is justifiable) with the working of the Rules is probably not due to the Rules at all. It is due to factors outside the Rules. If members peruse the figures in the various Reports, they will find that there are over 30,000 candidates registered in my office and all seeking appointments but the number of vacancies in appointments recruited on my advice is approximately 1,500 each year. That means that between 20 and 30 thousand candidates are dis appointed not with the general working of the Rules but because they cannot get an appointment. Whatever change is made, you will still have that regrettable economic factor to contend with. But however regrettable it is that thousands of candidates should find it necessary to seek appointments which do not exist and however sympathetic one may be to candidates, the fact remains that there are about 30,000 candidates while the number of annual vacancies (mostly fairly short) is only about 1,500. No fair-minded man could describe that circumstance as a defect in the Rules.

With these few observations I commend the material before the members to their consideration, and leave it to them to decide as to what should be done in future in regard to Public Service recruitment.

Mr. Kottur Kunjukrishna Pillai: I wish to get the permission of the Chair to move the following resolution for which the required notice could not be given. The motion is:

> "This Council recommends to Government that the motions reported to have been passed in another place regarding the Public Service Recruitment Rules be adopted."

Sir, the Secretary to the Sri Mulam Assembly has placed before us the following motions passed in another place. I wish to move them formally for the adoption by this House.

> "1. Public Service may be defined as in the T. S. R. Manual with the following alterations......"

President: The honourable member may take them* as read.

Mr. Kottur Kunjukrishna Pillai: If this can be taken as read, then I wish to place before the House the salient features of the changes sought to be effected by them which are 15 in number. As the Public Service Commissioner has pointed out, the appointment of the Public Service Commissioner and the promulgation of the rules for the recruitment in the Public Service have been made as an experiment and nobody expected that there will be complete satisfaction or unanimity of opinion regarding their working. That point can be agreed to. But I find it difficult to agree with the Public Service Commissioner——

President: Those honourable members who want to participate in this debate will kindly give their names so that it may facilitate discussion.

Mr. Kottur Kunjukrishna Pillai: Whether it has been the result of the working of the rules, whether the fault is to be levelled against the individuals or officers, it cannot be denied that there are certain difficulties in the working of the rules and that is the reason why in the light of the experience that we have gained and in the light of the facts contained in the publication by the Public Service Department that the following changes in the Public Service Recruitment Rules have been suggested.

I wish to point out as an example only one instance in which I consider that the Public Service Commissioner's Department has failed, *i. e.*, regarding recruitment to the Intermediate grade. It has been provided under the rules that 60 o/o of the appointments to the Intermediate grade should be by competitive test and 40 per cent recruited from certain communities only on the basis of merit. Certain communities which are considered to be over-represented are excluded from this. We find as a result of the working of the Public Service Commissioner's Department that certain number of vacancies have been indicated by the various departments and it is found that indications given by the departments have been an over-estimate and as a result of the over-estimation of vacancies the Public Service Commissioner, before he was able to completely exhaust the 60 per cent. of the vacancies that have been indicated by the various departments, the whole of the real vacancies have been exhausted. He points out in his report in a way that the responsibility for it rests with the various departmental heads who over-estimated the vacancies. I do not think it is fair to the departmental heads because nobody could give the exact number of vacancies

*The reference is the motion passed by the Assembly —*Vide* Annexure II.

arising out of leave, sickness and other things. So it is likely that the Public Service Commissioner ought to have known that the figures that he will get will not be exact or accurate. Granting that there has been a perceptible over-estimation of the vacancies in the Intermediate grade, I fail to see why the Public Service Commissioner has not given alternative appointments as and when the vacancies occur; one or two candidates chosen for the 60 per cent group and alternating one from the forty per cent. group.

Dr. G. D. Nokes : The rules do not provide for it.

Mr. Kottur Kunjukrishna Pillai : The Public Service Commissioner could certainly have asked for the change of the rule for the maintenance of the ratio for the representation of the various communities. Many changes have been effected by the Public Service Commissioner when such changes were required in the past. So that, what I am at is that the Public Service Commissioner has not perfectly absolved himself of his responsibility in rectifying this mistake which has now been found to be one of the gravest in the working of the Public Service Recruitment Rules under a single Commissioner and for which the Public Service Commissioner is solely responsible. When we were discussing the changes that we should effect in regard to recruitment in the public service, this question came up and this was a knotty question that we had to tackle with and most of our time was taken on account of the fact that there existed this wrong due to negligence which should have been removed. It is no use saying that it is caused because of the over-estimation of vacancies by the departmental heads. That is a way of avoiding the responsibility. But the responsibility of the Public Service Commissioner and his department cannot be evaded by saying that there was over-estimation.

Dr. G. D. Nokes : Sir, on a point of personal explanation. There is no indication in the report that I find fault with any departmental head for the over estimation of vacancies. I gave two examples of over-estimation in the Report ; but they are comparatively exceptional ; that is to say, they represent a very small proportion of the large number of selective tests, where no difficulty has arisen. The one which I now refer to is the worse of the two, and that relates to vacancies of clerks on Rs 20. For that appointment a second estimate was prepared before the new order was framed permitting departmental heads to make appointments in short vacancies which are less than one month in duration. They are probably twice the number of those to which candidates are recruited on the advice of my office in this particular type of appointment. The result was that both estimates included a large number of such vacancies, and that they could not be omitted or

taken out from the second estimate at the time of the publication of the estimate, because the relevant order was not then passed. There is nothing contained in my Report to suggest complaints against departmental heads, and I may modestly say that I am not prepared to take any blame myself. The occasion for remedying the Rules on major points has been expressly deferred until the present and paragraph 12 of the Report itself refers to an interim remedy.

Mr. Kottur Kunjukrishna Pillai : That is the impression that I was able to gather from a reading of the report. But I am glad to know that the Public Service Commissioner had no such intention. He may or he may not agree to take the blame on himself. But I wish to point out that the blame can be fixed on him and him alone. It was his duty to point out the necessity for a change in the rules so that the 60 per cent and the 40 per cent in the Intermediate Division could be filled alternatively to avoid any injustice to anybody. It is found as a result of the working of the rules that all the 40 per cent of the vacancies which are to go to unrepresented communities have not been filled and an impression has unnecessarily gained ground that it is done with a design whereas it was done as a result of negligence or want of proper action at the required time. This, I point out as an example. I may be able to point out other examples of patent defects in the working of the Public Service Department. But I do not think it is necessary at this stage because after all we are now considering the question of changing the system as it now subsists and therefore I shall merely indicate the changes completed by the motion moved by me.

Mr. M. Govindan (*Nominated*) : Sir, may I know whether all these motions are to be taken together ?

President : That is entirely in the hands of the House. If the House wishes the motions to be debated and put to vote one by one, that procedure can be followed. That is entirely for the House to decide. Is it the sense of the House that they may be taken and voted upon one by one ?

Mr. K. K. Kuruvilla : I think, Sir, that we may have a general discussion.

President : That is what I thought, because judging from what has been spoken elsewhere and also from what may be called general comments in public, these modifications or suggestions which have been moved in the form of resolution more or less, hang together and represent, so far as one can judge, the result of a compromise. Viewed in that line, there may be various difficulties in propositions being voted upon one after the other. If one proposition is thrown out there may be the repurcussion relating to some other

aspects. But this House is entitled to take any line of action it chooses. Therefore I leave it to the House. If they want a general discussion and at the end take votes on proposition by proposition, it may be decided upon by the House according to its convenience. If the members so desire, I shall allow a general discussion and then put motion by motion to vote.

Mr. Kottur Kunjukrishna Pillai : Sir, the main principles adopted here are these. It has been agreed by these motions that the principle of communal representation be extended to what was known as the Intermediate Grade also and that representation should be on the basis of population of each community. The total number of appointments being supposed to be 51, the seats have been divided as one per lakh and as one for any population that is over 50,000. The next change that has been suggested in the scheme is what may be called a concentric rotation if I may say so with regard to the distribution of appointments. First, the communities are divided on the basis of religion *viz.*, Hindus, Christians and Muslims. The Hindus get 31 seats, the Christians 16 and Muslims 4. Nobody has claimed anything more than representation on the basis of population. Then these communities are subdivided into various sub groups and appointments are divided on the basis of population. Finally we have suggested that the whole of the Public Service Recruitment Rules should be worked by a Public Service Commissioner who will be an officer of high status. There will also be an advisory committee consisting of the representatives of the important communities in the State to advice the Commissioner. Sir, it may be asked why there should be a committee to assist the Commissioner who will be an officer of high status. My preliminary criticism regarding the working of the Public Service Recruitment Rules was made with a view to implement the argument with regard to the advisory committee. Everybody has agreed that the present Public Service Commissioner is a man of absolute integrity and impartiality; but all the same defects have crept in. It would be well if representatives of various communities and peoples who are interested in this matter are there to advise the Commissioner, to point out to him, to represent to him the difficulties evidenced as the rules are being worked. The rules cannot be worked without any regard to the local circumstances or to the difficulties attendant on them. Moreover, various charges against the working of the Public Service Commissioner's department are made, I feel Sir, that they are made on account of ignorance, on account of the fact that the real state of affairs have not been understood properly. Much of the criticisms, much of the uncharitable attribution of motives or other things can be avoided if there is a small body of men who would look into the matter and see to the working of the machinery at close quarters.

Mr. M. K. Ananthasiva Aiyar : May I ask whether such uncharitable remarks could not be attributed even against such committee also ?

Mr. Kottur Kunjukrishna Pillai : Of course it may be made by irresponsible men against any device that we can think of in this world. It is not for such people this machinery is suggested. It is suggested for the satisfaction of the ordinary normal individual in the State, who has genuine and real grievances. Only those persons need be taken into account. We will find that when the machinery is worked under the supervision of such a committee there will be less chance of unfair criticism and people who are in the know of things, who scrutinise closely the working of this committee will be able to remove misunderstandings. It is with a view to create confidence in the working of the department, with a view to avoid unnecessary and avoidable criticism based on misapprehension that the committee has been suggested. This arrangement also cannot be claimed to be perfect. I do not mean to say that it will be worked without any difficulty or that it will be the ideal. It is therefore suggested that the above rules shall be in force for the next three years at the end of which period the position shall be reviewed by the Government in the light of conditions then existing.

So then, we are passing from one experiment to another. We have suggested these changes in the light of the experience we have gained by the working of the rules for the past three years. If this arrangement is worked for the next three years, I think there is enough in this to give the rules a chance of trial, especially because of the fact that this is the result of a compromise that has been arrived at between the various interests who are concerned in this problem. I hope Sir, that the motion will have the same reception that it had elsewhere. With these words I resume my seat.

Mr. M. Govindan : Sir, I support the motion made by Mr. Kottur Kunjukrishna Pillai on the floor of the House. In doing so I wish to point out that the idea underlying the Recruitment Rules when they were first promulgated was to give equal opportunities to all communities by removing the glaring inequalities in the representation of the various communities in the public services of the county. The rules as they originally stood did not go any great length in removing the real grievances. The objects of giving equal opportunities and to secure fair representation in the services – these could not be achieved by the original set of rules. There were rules and there were certain exceptions. The unsatisfactory result is due partly to the manner in which those rules were worked but the blame cannot be laid at the door of the Public Service Commissioner. The fact that the rules produced very unsatisfactory results is true. It is attributable to the vagueness of

the rules as they stand. The difficulties can be avoided if definite rules are made and they are worked to the satisfaction of the communities concerned. If by the working of the rules opportunities and fair representation to all communities can be achieved, I mean important communities, within a measurable distance of time, everything would be satisfactory.. As Mr. Kunjukrishna Pillai said, the communities who claimed representation were basing their claim upon their numerical strength and as such a fair ratio based on the numerical strength of the communities—

Mr. Kochikal P. Balakrishnan Tampi: May I know from the member whether the claim is based on the numerical strength of the educated people of a particular community?

Mr. M. Govindan: No, Sir. I may assure my honourable friend that if there is only one England-returned qualified Pulaya graduate, on the mere ground that there are not other members in that community who are educated he should not be refused appointment. It is not the total number of educated men that counts in this matter. But it is the particular candidate that is forthcoming whether he is qualified or not, that alone should be considered. But the representation of a man's community is based on another ground. Every important community must have a due share in the administration of the country. It is only a claim for a share of power. Desire for power is inherent in man. The claim that is put forward for a share in the administration is based on the total population of the communities. The educated men do not form one community for the purpose of representation. That is my answer to the honourable member's question.

Mr. Kochikal P. Balakrishnan Tampi: May I know whether there is any such classification in England or Ireland?

Mr. M. Govindan: I am not aware.

The point I want to urge here is this. The fact that these rules did not work satisfactorily will be clear from the illustration given by my friend Mr. Kottur Kunjukrishna Pillai namely the rules relating to 60 per cent. and the 40 per cent, and their working. This 40 per cent. rule was introduced with a view to give adequate representation to certain inadequately represented communities. It so happened that the three years working of the Recruitment Rules has not resulted in a single appointment being given—if I understand the report correctly—to those communities under the 40 per cent. rule. The 60 per cent. rule was able to be worked correctly. It is certainly not the fault of the Public Service Commissioner and there I differ from my friend. The failure of the 40 per cent. rule could not be attributed to the fault of the Departmental

[Mr. M. Govindan.]

Heads either. The fact appears to be that they wanted to be on the safer side. They over-estimated the number of vacancies in every case. The result was that the 40 per cent. rule did not work successfully. We are now directly concerned only with the result. The result has been that the claims of unrepresented communities could not be considered. The main object kept in view in the promulgation of those rules has not been achieved in any measure and as I said before I do not blame the Heads of Departments for the simple reason that the figures could be supplied only in anticipation. No departmental head could be credited with sufficient prophetic vision in arriving at the correct figures of future vacancies with mathematical exactitude. As my friend Mr. Kottur Kunjukrishna Pillai pointed out, some change could have been made in the practical application of the rules by applying the 60 per cent. and 40 per cent. rule in turns. This suggestion could have emanated from the Public Service Commissioner himself in view of the unsatisfactory working of the rules. I am not aware whether the Public Service Commissioner suggested it and was not carried out by the authorities. But I am sure that it should not have taken three full years for finding out that the 40 per cent. rule has not been working at all satisfactorily.

Dr. G. D. Nokes: Sir, I think, for the benefit of the members of the House, I had better explain the working of the 40 per cent. and 60 per cent. of Intermediate Division appointments, so that the members' apprehensions on the subject may be cleared. The number of selective tests held during the three years is over 300. Among these, there were only two serious cases of over-estimation. By the working of the 40 per cent. reservation for the inadequately represented communities, qualified candidates from these communites have been selected and nominated. As regards the appointment of clerks on Rs. 20, the position is this. There were two lists of selected candidates. The first list has been exhausted. It contained 510 candidates. 60 per cent. of these, namely 306, were first selected and have been advised for recruitment. The remaining 40 per cent. namely 204, (all from the inadequately represented communities) also have been advised for recruitment. From the second list of 348 candidates, which is now in use, about 100 candidates have been advised for appointment. What I have stated in my previous annual reports is that any postponement of recruitment of members of inadequately represented communities by the present Intermediate Division system—that is 60 per cent. of appointments by merit and 40 per cent. by reservation – is being cured in

course of time. So far as clerks on Rs. 20 are concerned, any postponement in giving 40 per cent. of appointments from the first list to unrepresented communities has already been cured; and any postponement in the second list is in process of being cured.

Mr. M. Govindan: With regard to the second list where the sore is only in process of being cured as regards the representation of inadequately represented communities, I accept the statement of the Public Service Commissioner. But there is a sore. That is my complaint. After all, time is of the very essence, in this world, It may take a long time to have the complaint cured. The complaint still remains unredressed. The process is going on indefinitely. We pray that definite rules should be framed to be given effect to straight away so that there can be no misunderstanding with regard to their operation. The standard we have adopted *viz.*, consideration of claims according to numerical strength of the communities, evidently does not satisfy all members as could be seen from the questions put to me by Mr. Thampi. But that is the only practical standard on which some attempt could be made to solve the recruitment problem. Left to myself I would go a little further.

Mr. V. S. Arumukham Pillai: May I ask whether the existing rules are not definite?

Mr. M. Govindan: I have already pointed out one indefiniteness or vagueness which resulted in difficulties in giving effect to the rules. I do not wish to add more instances of that kind.

Mr. Thomas Chandy Mukkadan (*Nominated*): നാല്പതും അറുപതും ശതമാനം കണക്ക വച്ചിരിക്കുന്നതുപോലെ നിയമനം നടക്കാത്തതു റൂൾസിന്റെ ദോഷംകൊണ്ടാണോ വക്കിംഗിന്റെ ദോഷം കൊണ്ടാണോ?

Mr. M. Govindan: അതു വക്കിംഗിന്റെ ദോഷംകൊണ്ടുമാണ്.

Whether it is due to a defect in the working of the rules, or defect in the rules themselves, is an academic question; anyhow, it is a fact that if the rules had been more definite, there would not have been any difficulty in their working. The present attempt is to provide additional safeguards with a view to inspire confidence in the public; it is for that it is suggested that there should be a non-official advisory body, composed of the different communities, to advise the Public Service Commissioner.

Mr. Thomas Chandy Mukkadan: ൬൦ ശതമാനവും നാല്പതു ശതമാനവും എന്നുള്ള ഈ വ്യത്യാസപ്പെടുത്തണമെന്നു മെമ്പർക്കഭിപ്രായമുണ്ടോ?.

Mr. M. Govindan : As I have pointed out already, this is a matter which has to be taken as a whole ; for the sake of agreement between the different communities, we have to sink our own opinions however strong they may be. I am sure everyone will agree that special preference should be given to the inadequately represented communities until there is a general equalisation of representation ; and this equalisation has to be brought about within reasonable time. Certainly, if now the over-represented communities are asked to keep out till such equalisation is brought about, it would be a short cut and the inequalities would be remedied quicker ; but that would involve great hardship to the over-represented communities. We cannot punish them for the sins committed by their forefathers. Perhaps, in those days, only members of those communities had the necessary qualifications and the willingness to enter public service ; that was not their fault. It is therefore not fair that we give room for hardship to the members of the over-represented communities.

Sir, it is as a matter of compromise that we have come to the conclusion that numerical strength shall be taken as the standard. I do not deny that there is some hardship caused to the educated members of the better represented communities. But, Sir, in the interests of peace, for the sake of the general progress of the country, something has to be suffered ; some hopes have to be given up, some expectations defeated. Sir, even if we go by numerical strength, it will take about 25 years for equalisation to be reached. Elsewhere, rules have been so framed as to enable equalisation being achieved in 7 years. But, those are matters which the Government may keep in view in making appointments.

In regard to the machinery, my own impression is that if conditions were different one efficient Commissioner like the present one ought to have sufficed ; but, for conditions obtaining in Travancore, that would not suffice ; we do require an advisory board. Because, it is most important that we should inspire confidence in the public mind even in regard to the manner in which the rules are worked. Recruitment is a matter in which every one, every community is so much interested, especially in these days of unemployment. That is the reason why people view everything with suspicion, and attribute motives to every officer, in regard to every appointment. It is therefore better that all appointments are made with the knowledge of the leaders of all communities.

Mr. Thomas Chandy Mukkadan : ഇപ്പോഴത്തെ പബ്ലിക്ക് സർവ്വീസ് കമ്മീഷണരെ ഉപദേശിക്കുന്നതിനായി ഒരു ഉപദേശക കമ്മിററി നിയമിതമായാൽ അതു് കൂടുതൽ സമുദായവഴക്കിനെ ഉളവാക്കുന്നതിനു പര്യാപ്തമായി ഭവിക്കയില്ലേ?

Mr. M. Govindan : കൂടുതൽ സമുദായവഴക്കിനെ ഉളവാക്കാൻ പര്യാപ്തമായി തീരുകയില്ലെന്നാണ് ഞാൻ വിചാരിക്കുന്നതു്. എല്ലാസമുദായത്തിലുമുള്ള ആളുകളെ അതിൽ സഹകരിപ്പിക്കയാണെങ്കിൽ എന്തെല്ലാമാണ് അവിടെ നടക്കുന്നതെന്ന വിവരം ശരിയായി ധരിക്കാനും ആ വിവരം ജനങ്ങളുടെ ഇടയിൽ പ്രചരിക്കാനും ഇടയാകും. അങ്ങിനെ വരുമ്പോൾ കൂടുതൽ കുഴപ്പമുണ്ടാകാനിടയില്ല.

Mr. Thomas Chandy Mukkadan : ഇപ്പോഴത്തെ ഉദ്യോഗസ്ഥന്മാർ വർഗ്ഗീയ ചിന്തകൂടാതെയും കൂടുതൽ കാര്യക്ഷമമായും ജോലി നിർവഹിക്കുന്നതുകൊണ്ട് അവരെ പബ്ളിക്ക സർവീസ് കമ്മീഷണരുടെ ഉപദേശക സമിതിയിൽ നിയമിച്ചാൽ കാര്യക്ഷമതയ്ക്കു മതിയാകുമെന്ന് വിചാരിക്കുന്നുണ്ടോ?

Mr. M. Govindan : ചോദ്യത്തിന്റെ ദൈർഘ്യം കൊണ്ടു എനിക്കു മനസ്സിലാക്കാൻ സാധിക്കുന്നില്ല.

Mr. Thomas Chandy Mukkadan : ഡിപ്പാർട്ടുമെന്റധ്യക്ഷന്മാരെ ഉപദേശകസമിതിയിലെ അംഗങ്ങളാക്കിയാൽ കാര്യക്ഷമതയ്ക്കു മതിയാകുമോ?

Mr. M. Govindan : കാര്യക്ഷമതയുണ്ടെന്നു ജനങ്ങളെ ധരിപ്പിക്കേണ്ട ചുമതലകൂടി ഉള്ളതുകൊണ്ടു അതു് തീരെ മതിയാകയില്ല.

Sir, one of the important features of the changes now introduced, is the abolition of the competitive test. This competitive test is a very dangerous thing. The sooner it is abolished the better; because, as I have stated already, there is so much interest involved in the matter that it is very difficult to have a really fair competitive test under the conditions obtaining in this country.

Mr. M. K. Ananthasiva Aiyar : May I know the special difficulties involved in holding competitive tests?

Mr. M. Govindan : I would rather not go into ugly details in this House; everybody knows them; Mr. Ananthasiva Aiyar himself knows them. As I said, the fact remains that, in the case of almost every appointment, all manner of motives are attributed to the appointing authorities. That is the difficulty in this country. At least to overcome such unfounded accusations made against responsible officers, these tests deserve to be abolished.

Now the question will arise as to how selection is to be made when, from the same community, there are many forthcoming with identical examination qualifications. I would suggest that the marks obtained by the candidates, at the School Final Examination or the University Examination as the case may be, should guide the choice.

[Mr. M. Govindan]

Then, the further question will arise whether it would be fair to compare marks obtained in one year with those obtained in another year.

President: Ultimately it will all end in some discretion being exercised in the choice; because, it is not practicable to get the marks obtained in some German University or American University—

Mr. M. Govindan: I am now dealing with appointments below Rs. 150.

President: Even for those appointments, men with foreign qualifications are applying.

Mr. M. Govindan: Those are matters of detail which perhaps Government can solve by providing supplemental rules.

Mr. G. Narayana Aiyar: Are there not such competitive tests held in other places?

Mr. M. Govindan: I am not aware of the conditions obtaining elsewhere; but, the conditions in Travancore do not warrant a competitive test.

As for the question put by the Chair about the difficulty in our getting the marks obtained by the candidates in foreign Universities.

President: There will be difficulty even in regard to the Punjab and other Universities in India, so that some kind of *viva voce* or competitive test is necessary for choice among members of the same community. And there again, it has been put to me that some very profoundly educated people do not get on well in *viva voce*.

Mr. Kochikal P. Balakrishnan Tampi: Is the honourable member suggesting any recognised intelligence test?

President: Psycho-analysis (*Laughter.*)

Mr. M. Govindan: I should gladly welcome some kind of meter if one could be devised, especially for measuring character; because, that is the main trouble here. (*Mr. Kochikal P. Balakrishnan Tampi*: *Hear, hear.*) There are people who stoop to take bribes of just a few chuckrams, but are easily able to secure first mark in any competitive examination. That is the practical difficulty.

Sir, let us not attempt to solve all our difficulties now, in one stroke. In view of the conditions now obtaining in Travancore, the present agreed solutions are good enough.

Mr. K. K. Kuruvilla: Sir, it was only after I came to Trivandrum last evening that it was possible for me to see most of the papers connected with this question. I am personally grateful to all those who have sincerely tried to solve this knotty problem. I will go further and congratulate the communities which have

taken a lead in this matter. But, my only feeling is that all communities should have been consulted. The honourable member Mr. Kottur Kunjukrishna Pillai said that this resolution is the result of a compromise. Between whom, I do not know? Sir, there are several communities which have not been consulted on this important matter. My first request to Government, therefore, is that no action should be taken even on the unanimous conclusions arrived at on this matter, until and unless all communities are given an opportunity to have their say on the matter.

Mr. Kottur Kunjukrishna Pillai: On a point of personal explanation, Sir. The honourable member stated that I referred to some 'compromise'. I did not refer to any compromise between any two or more communities; I was referring to the compromise arrived at, in another place, between the various communities represented in the Legislature. That was the idea which I wanted to note when I used the word 'compromise'; not compromise between any two communities.

Mr. K. K. Kuruvilla: I thank the honourable member for the explanation.

In regard to the basis adopted for representation, namely, one post for one lakh, I am sorry that that rule has not been uniformly applied; for, in the case of 'other Hindus' who number about 4½ lakhs, they have been given only 3 posts.

The House adjourned for lunch at 1 p. m. and reassembled at 2 p. m. with the President in the Chair.

Mr. K. R. Narayana Aiyar, *Director of Agriculture and Fisheries*, took the oath and signed the rolls.

Mr. K. K. Kuruvilla: I was saying, Sir, that the 'other Hindus' numbered about 4½ lakhs and according to the basis for apportionment of seats in the service they should have five representatives.

President: Order, order. Fourteen honourable members have declared their intention to speak on this and I think it will conduce to convenience if I fix ten minutes for each honourable member. I hope that it will be generally agreed to.

Mr. K. K. Kuruvilla: I hope that the time already taken by me will not come under this limit.

President: It will not have retrospective effect.

Mr. K. K. Kuruvilla Another point that I want to raise is about the sub-division of religious communities and the place given to them. My criticism about it is that if a particular section in a religious community has five representatives and another section in that community has only one representative, the fair thing to do is to see that each section gets its chance and then start again. Take for instance the Syrian Catholic or the Jacobite

[Mr. K. K. Kuruvilla.]

Syrian. The rotation goes on and it is only after all these people are finished that other communities come. At page 3* we find that in the rotation the S. I. U. C. has only one chance and comes as No. 13. Marthoma has only one chance and comes as No. 14. In fairness, I think that each one of these communities should have regular rotation and then we must start again.

I started by saying that if a suggestion is to be acceptable, even if it is sincerely made, it must be based on strict justice and sympathy to all the communities. In fact, what I want to suggest is that as far as possible internal divisions in these communities may be left to the communities themselves which will conduce to greater unity among them. I am anxious that there should be harmony between the different communities so that in the end all the communities may come together on a common ground. I believe that these communal problems are only temporary in the history of our country and of India and that we will ultimately come to be non-communal in our out-look. Several communities such as "other Hindus", Nadars, Jacobites., S. I. U. C. and Marthoma are placed at a disadvantage when other communities are at an advantage. This must be very carefully sifted.

In regard to what we call the advisory board and the Commissioner, it depends very much on the personalities of the men who compose the committee. The criticism that I have to offer in regard to the Commissioner's work is that if he sent a man to a departmental head, he did not enquire what happened to his man. One who got into the service would be relieved after a few weeks and he would not have a chance to re-enter afterwards. The departmental heads may put in persons whom they like afterwards. If the committee consisted of persons who could understand the technicalities and who could give constructive suggestions to the Commissioner, then I think the committee would be helpful. But a committee which has not got that capacity may create communal troubles. Therefore I would appeal to those who are responsible for the appointment of the committee and the selection of the members of the committee to use their right judgment in selecting proper men. As for the Commissioner if we have the right kind of a man, he by himself can do the thing very well.

Finally, I have to say that 50,000 instead of 100,000, 25,000 instead of 50,000 and 99 instead of 51 should be made the basis. I am submitting this only for the consideration of the House. As I said before, I am at one with all public men in this country in wishing for the development of harmoniousness in the appointments to the public service. But that must be satisfactorily done through harmony on the basis of justice and sympathy.

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*The reference is to Annexure II.

Mr. Kochikal P. Balakrishnan Tampi: Sir, very reluctantly I support the motion of Mr. Kottur Kunjukrishna Pillai because I confess that it is very difficult to understand the highly technical formulae of communal rotation which is perhaps much more difficult than Einstein's Theory of Relativity. Anyway it is with a defeatist attitude that I support it, because I know that we have to accept this. Although there is no use being idealistic after all, I am inclined to believe that the whole communal representation must go by the board. It is a paradox; when we say we do communal justice, justice to communities, we do very great individual injustice, injustice to individuals. The situation is piquant with humour, when half a dozen peoples, calling themselves representatives of certain organisations, or 'gangs' as they may be called, sit around the table, and dispose of the claims of thousands and thousands, or even lakhs, of individuals. Very well, I have realised that it is folly to be wise where other conditions prevail. Anyway, I am one with the mover of the motion in believing that at least to avoid multiplicity of interpellations regarding castewar statements of appointments and about communal injustice, the acceptance by this House of the resolution is necessary and I will certainly support it. The connotation and the denotation of the word 'community' also have undergone changes in common parlance with the agitation of certain peoples for Governmental appointments. There is no use one feeling superior to his neighbours. We have to go with the tide. I do not forget that there is some point in the view that appointments to State offices mean some influence. Perhaps we have to pay the penalty for the sins of some officers who have been guilty of nepotism in the past. If only the officers had adhered strictly to the spirit of one of the earliest Proclamations on the Statute Book that no relations should be appointed, certainly members would not have got up and spoken in such a tragic vein that their particular 'community was neglected' in the appointment say, of Sub-Registrars. I do not at all question the sincerity of their representations. By dint of repetition, by auto-suggestion, or some subtle psychological process, the gentlemen representing their grievances do really feel very much. It is another question whether they are logical. After all, has any particular man any community as such? Does any particular community exist as such? Accidentally I belong to a community which at *kalyana pandals* is represented as a Nair community and which I have not seen, not even envisaged. To me, my neighbours, Mr. Kuruvilla and Mr. Park, may more properly form one community. What in fact have I in common with the Nairs living in the northern part of Parur? Very little except in the matter of perhaps sentiment and sentiment encouraged by endless repetition

[Mr. Kochikal P. Balakrishnan Tampi.]

of men who have some pretence to education and who have not been adjudged to be otherwise by any competent board or by any mental hospital. Well, Sir, has any Nair as such the right to any particular office, say a medical officer? Anyway, it is a very sad state of affairs that we have to lay down a rule that the man with the minimum qualification should be taken into the public service. The proof of the pudding is in the eating of it. For public service we want the very best men. I do not find any harm in the members of any one community monopolising—again I am imbibing the language of those people—all the appointments in the service. If I had been transformed to the Government benches I would have had no hesitation to say that hereafter appointments to the services will be considered only on efficiency and character. But that is a far off cry. Till the end of time I am sure that all these so-called communities will never be agreed as to the number of appointments or the quality of appointments because by the Government recognising these communities an impetus is given to the growth of further new communities. For instance it is only during the past two or three years that I hear of one community, the Varnava community which has been voicing its grievances in regard to how Varnavas are treated by the Public Service Commissioner. Suppose a newspaper "say the Varnavas' friend" is started by them. I am sure that in fifteen years time they would very seriously believe that they have been badly treated because no person from that community has been appointed, say, an Executive Engineer. The whole thing therefore is perfectly illogical. But as I said before it is folly to be wise where other conditions prevail. It is in that spirit that I support the motion of my friend Mr. Kottur Kunjukrishna Pillai. I never knew that he was such a past master in the matter of inventing terms. Not only in politics but in public administration also one thing which will appeal to the public imagination is the invention of terms, some catchwords, some formulae. He said very seriously without as much as moving his facial muscles about "concentric rotation", and from the way he uttered it, it would appear I was inclined to think that it was a very well understood, commonly accepted form all over the world, a perfectly normal thing even in distant China or Canada and which I alone out of ignorance could not understand. My final appeal to this House is that so long as we claim to be educated, so long as we are members of a representative institution, it must certainly be considered as beneath our dignity to say that any particular community as such should be represented in the services or in the legislature.

Now in the heat of all these discussions we forget that we are accepting exactly what we have been fighting against all these years the claim by birth to some office. It is true that there might be some satisfaction in some places. But there may be some other "communities" which may not be quite satisfied with the present agreement. These communities may bring forth trouble.

President: That preliminary process has already started. (*Laughter.*)

Mr. Kochikal P. Balakrishnan Tampi: I was saying that at least hereafter we must make definite vows that we would not talk about these ugly affairs any more. I can understand a new honourable member coming here and speaking rhetorically, about the so-called justice and the injustice of ages in apportioning public services. But to hear experienced honourable members of an afternoon like this speaking against selective tests and competitions, to hear first rate men like my honourable friend, Mr. Govindan to speak.........

Mr. M. Govindan: I don't quite follow, Sir.

Mr. Kochikal P. Balakrishnan Tampi: Now under the agreement, a really efficient candidate but unfortunately born in a particular community, must pay the penalty for the sins of others. But we sit around the table and seem to be happy over the decisions arrived at. I am not talking against the resolution. "Fed up" to use slang, sufficiently with the talk about 'communal justice' and 'communal injustice' I am as in duty bound, to support the resolution brought forward by my honourable friend Mr. Kottur Kunjukrishna Pillai.

Mr. T. Mahommad Ismail (*Nominated*): I do not think it is necessary for me to discuss the report placed before us by the Public Service Commissioner especially because we are at a change and a new scheme is placed before us for consideration. The present resolution has been brought over here as passed by the Assembly, wherein, it is stated, certain motions were moved and passed. The question of public service was one of great controversy and noisy agitation for the last so many years and I am very thankful to the honourable members who brought forward these suggestions after consulting among themselves. My thanks are specially due to those honourable members who hated the word communal representation till now and who have come round to accept it. In spite of Mr. Tampi's humorous remarks, I am glad to find that he supported this motion at least very reluctantly.

Sir, in supporting this motion, some observations have to be made because several of these provisions may have to be modified in future. As stated by the mover himself this scheme is not ideal.

[Mr. T. Mahommad Ismail.]

After all, there will come a time when Mr. Tampi and his friends who cannot think of communal representation will come forward with a suggestion to throw open all the appointments on the basis of communal representation. At that time, I think, nobody will oppose that suggestion on the ground that efficiency will be impaired. Efficiency will not be impaired, Sir, if proper selection is made from particular communities. In spite of the fact that we have had Public Service Recruitment Rules working for the last three years, what was desired by the Government was not achieved. And the result was disappointing. It is nobody's fault. Rules were framed, added, altered and amended and sometimes ignored. These were necessitated by circumstances and I think it is better not to deal with the past because we have got a workable programme before us now. As stated elsewhere, it shows the maximum agreement reached between various communities.

As Mr. Kuruvilla pointed out, I think it would have been better if Government considered it proper that before consultations were made and conclusions arrived at all communities were consulted about the matter. It is true that my honourable friend Mr. Kottur stated that the motion before the House is the one which has been already passed by the Assembly; but the fact remains that only certain communities were consulted.

President: I think there has been a certain amount of misconception which I sought to clear elsewhere. Government did not take any initiative in this matter. Members of two communities approached Government and asked for permission to discuss the matter and wanted to know if Government would supply those members, so discussing, with facts, figures and information. In order to put them completely at ease, the Head of the Administration stated that they could meet in his own place, and, at any time he would be willing to give any information and would ask the officers to give all necessary information. It was made clear to the members who came to Government that Government did not regard those discussions as final or decisive. Those communities were asked to get into touch with other communities, if they agreed among themselves. If there was initial agreement between the two communities who approached Government, Government thought that there is a possibility of what is called concentric rotation. But if those two people did not agree there was no use of rotating further. They came to an agreement. Then it was suggested, taking advantage of the circumstance that another House of the Legislature was meeting, that others might also be taken into consultation. It was not restricted to the members of the Legislature either. It was left open to the communities to choose

those who should come together. Anyhow, what was done in another House of the Legislature was that they went into some kind of Committee and everybody discussed with everybody else informally, and this is the result of it. I want to guard the administration against any suggestion that they took into account only two communities and they are going to dragoon other communities into acceptance of those agreements reached by those communities alone. It was the least intention of Government to have the decisions reached, binding upon other communities or to force them upon any other community or communities.

Mr. T. Mahommad Ismail: I am thankful to the Chair for the explanation. Anyhow, whether it is the result of agreement reached between two communities, or it is a formula arrived at and accepted by the Assembly, I am very glad to say that there is a reasonable and workable programme before us. But this scheme is not without defects, It will be seen that several desirable provisions are omitted from the scope of the scheme, several departments are excluded from the operation of the rules ; communal consideration has to be adopted in one form or another in the matter of promotions and in the case of selections to the Travancore Civil Service, etc, So it is open to the Government to make the necessary alterations in consultation with members of various communities. The defective working of the Public Service Recruitment Rules for the last 3 years is due to the rules themselves. Therefore I would request the Government that the rules to be framed under the new scheme should be done in consultation with members of all important communities if it should result in success. It will be better if the rules are approved by the Legislature or by a committee appointed by the Legislature or at least by the contemplated Advisory Board. In this connection one thing I have to remind the House, especially the President, in the matter of constituting an Advisory Board. All the trouble in our State is due to the fact that members are chosen for these committees and boards irrespective of certain fundamental considerations. There are some people who are called public men of the State. I may assure you, Sir, that these gentlemen have no business of their own. They are neither agriculturists, nor merchants, nor representatives of any profession. They live by exploiting the masses. The House will excuse me when I say, that these people will make a living out of these nominations. So in nominating members to this Board it must be borne in mind that men of sterling character alone should be selected. The question of public service is the most important question in the State. If this problem is to be satisfactorily solved, those selected to this responsible office must be persons above suspicion whom people can depend and believe. With these words I support this motion.

Mr. M. K. Ananthasiva Aiyar: Even though I have great mind to support the resolution brought forward by Mr. Kottur Kunjukrishna Pillai, my conscience does not allow me to agree to the conclusions arrived at. The first thing is, that in the matter of recruitment, certain qualifications are required for the candidates. All the five millions of Travancoreans are not equally eligible for public service. We have to take into account that number from the population eligible for public service. If such a census is taken of each community, allotment can be made in accordance with their proportion of eligibility for public service.

Mr. Kochikal P. Balakrishnan Tampi: Is Mr. Ananthasiva Aiyar a believer of the "share doctrine"?

Mr. M. K. Ananthasiva Aiyar: Yes. Subject to certain conditions. With these words I oppose the resolution.

Mr. V. S. Arumukham Pillai: In the course of his speech my honourable friend Mr. Govindan was stating that communities which are not adequately represented should be given equal opportunities in the matter of public service. I submit, Sir, if that policy is not given effect to by making a provision whereby over-represented communities are prevented from getting appointments for a certain definite period there will still be this great communal injustice. Unless there is a provision to that effect justice cannot be meted out to other communities in the matter of public service.

Another point that I wish to point out to the honourable members of this House is this. We find a distinction made between Malayala Brahmins and non-Malayala Brahmins. Based on this, I submit there ought to be a distinction between the Vellala community and the Nanjinad Vellala community. Similar rules must be given in the case of Vellalas and Nanjinad Vellalas. There is a mistaken impression that this Nanjinad Vellala community is a sub-sect or rather a branch of the Vellala community. That is why I have to speak on this motion. If Brahmins can be divided into Malayala Brahmins and non-Malayala Brahmins, I believe that there are stronger grounds why there should be a division between Vellalas and Nanjinad Vellalas. In the first place, as I have often pointed out, these two communities are governed by entirely different laws and manners. Further as between these two communities there is no inter-dining and inter-marriage. What other elements are necessary to distinguish one community from another? I do not want to deal at great length with that distinction. Suffice it to point out that these two communities are entirely different and that because of the population it was not possible to allot different seats to them and therefore though the community is classified as Vellalas, there is a distinction between the two communities and this distinction ought to be given effect to in the matter

of their appointments to public service. That is the important matter that I would bring to the notice of the Government.

Then, with regard to the communal rotation, I had no time to study these things, because these papers have reached me only this morning. But, so far as I can see, the interest of two communities is specially safeguarded. I am glad that these two communities have agreed upon this question and I do not wish to talk on that too, at great length. The Nairs and the Ezhavas are the major communities. I do not quarrel with the communal rotation, but I would submit these two observations, *viz.*, that there must be a provision barring the entry of already over-represented communities and another provision for the......

Mr. M. Govindan: May I know from the honourable member the respective population of the Vellalas and the Nanjinad Vellalas?

Mr. V. S. Arumukham Pillai: According to the last Census the Nanjinad Vellalas come to about 25,000. Now it would be not less than 30,000. The other Vellalas come to about 40,000. Why I want a separate group for the Nanjinad Vellalas is first on account of its historical importance. It has been contributing to the coffers of the State to a large extent, perhaps to a greater extent than other communities in the State. And further, this is entirely confined to Travancore. The other Vellalas included here have got scope outside the State. A serious handicap to this community is that they are entirely confined to this State and so it is that I suggest there must be a sub-group.

Mr. James Fletcher: (*Kalkulam and Vilavancod cum Neyyattinkara*): Sir, a time there was when there was no no question of communal representation in Travancore. But fortunately or unfortunately it led to this state of affairs— a particular community or one or two communities came to monopolise all public services. Then, people thought that it was high time to effect a distribution of this right at least among those people who had the necessary qualifications. Unfortunately, many of the communities had not the advantage of going for higher education viz., English education. English education was the necessary qualification for getting into Government services. And again, these particular communities who have the monopoly tried to keep up the service among their own people. Lately, Government thought it worth while to bring about a reasonable distribution of Government service to various communities and appointed a Public Service Commissioner with a staff. He had to work under very many handicaps. He had many disabilities. He had to bring order out of chaos. To some extent he has succeeded and brought about reasonable order On the foundation that has been laid by the present Public Service

[Mr. James Fletcher.]

Commissioner we are going to build up something better or higher. That is the object at present. The idea is that distribution of Government services among the people should be in such a way that it could be just, fair and equitable to all communities. Now, the Public Service Commissioner has divided the people in Travancore into various communities as they exist and tried to do them communal justice. There are still some friends who would say that distribution of government services to all communities will be wrong or undesirable. Regarding that, a few words may be said.

Mr. Kochikal P. Balakrishnan Tampi: May I know whether the member is aware of the views of the all-India Conference regarding communal representation?

Mr. James Fletcher: We are not in India, I mean, we are in Travancore and so we would consider the problems of Travancore more at present than problems affecting all India. So far as Travancore is concerned, we know there are different communities and every community claims that their right should be safeguarded and that they should be given representation in Government service. It is the refusal to recognise the principle of communal representation that has led to communal bickerings and strife. It is no-use to brush aside this great problem with the contemptuous observation that the same is created by a few job hunters. I may say in reply to the honourable member Mr. Tampi, what do we see when service lists are produced on the floor of the House regarding representation of communities in certain branches of Government service.

Mr. Kochikal P. Balakrishnan Tampi: May I ask the honourable member whether he is aware that his fellow religionists in China, Japan and Russia claim communal representation in Legislature?

Mr. James Fletcher: I am not speaking of what is happening in China or Japan; I am thinking of Travancore and Travancore alone. Let my friend ask questions about Travancore.

Mr. Kochikal P. Balakrishnan Tampi: Does he say in general or with reference to a particular appointment?

Mr. James Fletcher: In general.

When the list is produced here to show how the Government appointments are given to members in different communities, we find that certain communities have got all the monopoly. Those who are fortunate to have been born in that particular community will be glad that such a chance is given to them alone. However, my friend would say that if 12 talented men are born in the Pulaya or Cheramar community what are we to do under the present rules? Under the present rule they all cannot get Government service excep

a small proportion. Now, he is very sorry for those people. He is very anxious about their condition. Of course, he would shed crocodile tears for their sake. He is very anxious about these 12 persons who may be born in that unrepresented community which might fail to get full representation. Twelve people may be born and out of them two may get Government service. Talented men will get their share in other services. Let him not be sorry that these rules will stand against these 12 people.

Mr. Kochikal P. Balakrishnan Tampi : Let me say that I meant only euphemistically to say that in some communities there will not be talented people. (*Laughter.*)

Mr. James Fletcher . Yes.

One of the causes for the cry of communal representation is that, in a country like Travancore the income from Government service is considered to be better than what is got from outside.

President : Order, order. As there are some more members who desire to speak, the honourable member will abbreviate his remarks.

Mr. James Fletcher . Yes Sir. At least this resolution has got the appearance of recognising that communal justice will be done to all people. Then, Sir, I may state that this is to be passed only as an experimental measure to be worked out for a certain number of years. Now 51 which is taken as the unit will have to be changed when the next Census comes and there will be proportoinate changes in other respects. However, as an experimental measure these resolutions can be worked out and if they are fouud to be inadequate changes may be brought in due time.

Mr. T. K. Kittan (*Vaikam, Kottayam and Changanacherry cum Peermade*) : ബഹുമാനപ്പെട്ട മെമ്പർ മി. കോട്ടൂർ കുഞ്ഞുകൃഷ്ണപിള്ള ഇവിടെ അവതരിപ്പിച്ചിരിക്കുന്ന പ്രമേയത്തിൽനിന്നും ൪-ാംവകുപ്പ് എടുത്തു കളഞ്ഞിട്ടു ബാക്കിയുള്ള എല്ലാത്തിനോടും ഞാൻ യോജിച്ചു കൊള്ളുന്നു. ൪-ാംവകുപ്പിൽ പറയുന്നതു് കമ്മീഷണർ അവർകളെ ഉപദേശിക്കുന്നതിനു ൬ പുരുഷന്മാരും ഒരു സ്ത്രീയും ഉൾപ്പെട്ട ഒരു കമ്മിററി വേണമെന്നാണ്. ആറു പുരുഷന്മാരുടെ ജാതിയും മതവും പറഞ്ഞിട്ടുണ്ടു്. എന്നാൽ സ്ത്രീ മെമ്പറിന്റെ ജാതിയും മതവും പറഞ്ഞിട്ടില്ലാത്തതുകൊണ്ടു അവരെ തിരഞ്ഞെടുക്കുന്നതിൽത്തന്നെ അഭിപ്രായവ്യത്യാസവും ബഹളവുമുണ്ടായേക്കാം. ഉപദേശക സമതിയെക്കൊണ്ടു ഉപദ്രവും ബഹളവുമുണ്ടാകുവാനാണധികമെളുപ്പമുള്ളതു്. ആയതുകൊണ്ടു ഉപദേശകസമതിയെ കൂടാതെതന്നെ ഇപ്പോഴത്തെ കമ്മീഷണർ അവർകൾ അടുത്ത മൂന്നു വർഷങ്ങളിലെ നിയമനം നടത്തുന്നതു നന്നായിരിക്കുമെന്നുള്ള എന്റെ അഭിപ്രായം രേഖപ്പെടുത്തിക്കൊണ്ടു പ്രമേയത്തെ പിൻതാങ്ങുന്നു.

Mr. G. Narayana Aiyar: Sir, I also like to make a few observations on the motions under discussion. First of all, I wish to point out that responsible men have openly stated that several mistakes are to be found in the last Census Report as regards figures of certain communities. So, to act on the figures of last Census is not proper. Another Census is expected very shortly. Under those circumstances I would suggest whether it is not advisable to wait for a year or more and frame proper rules after the next Census so that we may not have the necessity of correcting the rules now proposed to be passed. If such a position is acceptable, it may give lesser room for complaints. So, I submit that the consideration of this matter may be postponed to some other future date, soon after the coming Census.

President: That matter has been engaging the serious attention of Government. The next Census may be completed in 1941 and the result would become available in 1942 or probably in the early part of 1943. Is that not so, Mr. Govinda Pillai ?

Mr. M. Govinda Pillai: It will not be improbable. Latest communications from the Imperial Census Commissioner indicate that they are considering whether it is not economically advisable to postpone the Census for the present moment.

Mr. G. Narayana Aiyar: If there is not the possibility of the Census being taken in the immediate future, I do not press that point.

As regards recruitment from various communities to the public service, I would suggest that literacy should be the test for the distribution of various appointments and not mere population basis. If that is done, it will be an incentive for the illiterate backward communities to become literates as early as is possible and get their quota.

As regards suggestion 1 (a), the employment of Munsiffs, I take serious objection to that recommendation. First of all, the peace and prosperity of a nation depend upon the proper administration of justice. The major part of the work of the adminstration of justice is being done by Munsiffs. We have seen from the report on the Administration of Justice for the last half a dozen years that Government had to remark continuously that the work of the Munsiffs was generally unsatisfactory throughout. Year after year we find the remarks becoming stronger thus showing that the position has not improved.. That being the case even after we have taken all the safeguards in the matter of appointment of Munsiffsto say we should give up all those safeguards and follow communal rotation, I think, is not right or proper. At least in

the employment of Munsiffs, Government should take efficiency as the sole test and no other consideration should be taken in that matter.

I would also oppose the suggestion for the abolition of competitive tests. They are safe tests in very many ways and should not be abolished. The most deserving from all communities have a chance for entrance if competitive tests are conducted. These are the only relevant observations that I wish to make.

Mr. K. M. Kesavan: I also heartily support the motion brought forward by Mr. Kunjukrishna Pillai. But I fear in supporting the motion I stand the danger of being questioned about the capacity of my intellect according to the criterion adopted by the honourable member Mr. Tampi. Representation in public service has been the bone of contention among the different communities in the State for a long time. Much was said here in the name of efficiency. I fear there is absolutely nothing in the motion before the House which takes away efficiency altogether. It is provided clearly that when there are more hands than are necessary, with the minimum qualification, in the same community, the best may be taken. I do not think therefore there is any sacrifice of efficiency. With regard to recruitment to the higher grade, efficiency is made the only test. So, I do not think, the "twelve talented men" of backward communities referred to by an honourable member will suffer. As a result of the working of the Public Service Recruitment Rules, there has been much heart-burning and a situation has arisen over which we cannot close our eyes. It was replied by the honourable member concerned that nothing has been done against the provisions of the rules. I believe him and I presume that he is a man of perfect integrity. But, nevertheless, I do not think, a man of his position and the departmental heads are mere machines. There is nothing wrong in our assuming that the departmental heads and the member concerned have a certain amount of common sense and discretion and they are not inanimate materials. If there is anything wrong, if some serious injury was being done in regard to the working of certain schemes, certainly, it stands to reason that such defects might have been rectified and such recommendations for rectification would have been allowed by Government. There have been ever so many instances of that kind. So I do not think I can absolve the honourable member or the departmental heads or the Public Service Commissioner from the sins into which they were consciously or unconsciously entrapped. However, if the motion before the House is carried, I think it will pave the way for the restoration of communal concord and harmony.

Mr. E. K. Kuriyppe : സർ, കൂടുതൽ ഉദ്യോഗങ്ങൾ കൈവശം വച്ചുകൊണ്ടിരിക്കുന്ന നായർ സമുദായത്തിൽപെട്ട ഒരു മെമ്പർ തന്നെ ഇങ്ങനെ ഒരു പ്രമേയം അവതരിപ്പിച്ചിരിക്കുന്നതിൽ എനിക്കു വളരെ സന്തോഷമുണ്ട്. അനേകകൊല്ലമായി പല സമുദായക്കാരും ചേർന്നു മുറവിളി കൂട്ടിയതിന്റെ ഫലമായിട്ടാണ് പബ്ലിക്ക് സർവീസ് കമ്മീഷണറെ നിയമിച്ചിട്ടുള്ളത്. എന്നാൽ അദ്ദേഹത്തിന്റെ ഇതുവരെയുള്ള പ്രവർത്തനത്തെ പരിശോധിക്കുന്നതായാൽ സിറിയൻ കത്തോലിക്കർക്ക് അതുകൊണ്ടു പറയത്തക്ക പ്രയോജനമൊന്നും കിട്ടിയിട്ടില്ല എന്നു ബോദ്ധ്യമാകുന്നതാണ്. പ്രമേയത്തിൽ പറഞ്ഞിരിക്കുന്നതു പോലെ വളരെ സ്റ്റാറ്റസ് ഉള്ള ഒരു പബ്ലിക്ക് സർവീസ് കമ്മീഷണറെയും ഒരു അഡ്വൈസറി ബോഡും നിയമിച്ച് എന്തെല്ലാം ചട്ടങ്ങൾ ഉണ്ടാക്കിയാലും അതിനെ പ്രവൃത്തിരൂപത്തിൽ വരുത്തുന്നതിനു കർശനമായ നടപടികൾ നടത്താത്തപക്ഷം യാതൊരു പ്രയോജനവും സിദ്ധിക്കുന്നതല്ല. പബ്ലിക്ക് സർവീസിൽ ന്യായമായി ലഭിക്കേണ്ട അവകാശം ചില സമുദായക്കാർക്കു സിദ്ധിക്കാത്തതിനാലാണ് സമുദായങ്ങൾ തമ്മിലുള്ള മത്സരത്തിനു കാരണമെന്ന് ഇന്നത്തെ ഭരണാധികാരികൾ തന്നെ ബോദ്ധ്യപ്പെട്ടിട്ടുണ്ട്. എല്ലാ സമുദായപ്രമാണികളും യോജിച്ച് റിക്രൂട്ട്മെന്റ് വിഷയത്തിൽ ഒരു തീരുമാനം ഉണ്ടാക്കുന്നതിന് അവരെ ഉത്സാഹിപ്പിച്ചു എന്നുള്ളതുകൊണ്ടുതന്നെ അതു സ്പഷ്ടമാകുന്നുണ്ട്.

Mr. Kochikal P. Balakrishnan Tampi : ഈ സമുദായപ്രമാണികളെ നാട്ടിന്റെ ഏതു ഭാഗത്തു ചെന്നാൽ കാണാം?

Mr. E. K. Kuriyppe : യോഗ്യന്മാരെ എല്ലാ സ്ഥലത്തും കാണാം.

Mr. P. R. Godavarma Raja (*Edavagai*) : I support the motion before the House. We owe a deep debt of gratitude to the other House for evolving a formula of recruitment to the public service of the State. It may be that the present scheme is not an ideal one. There is of course scope for improvement. Nevertheless, after working the present scheme for some time we may hope that a still more satisfactory solution of the communal problem will be arrived at. Our public life has been to a large extent, tainted by this canker of communalism. Unless we root out this disease we cannot succeed in our national advancement. So far as the suggestion that competitive tests should be abolished, I am not at all at one with the honourable member who advocated that. However bad may be the system of recruitment by competitive examination, that is the only method by which you can test the intelligence or efficiency of a person. In other countries also that system has been found

to be the only practical method. As regards the Advisory Committee proposed in the present scheme, I am of opinion that the personnel of the Committee determines how far it can be successful. People who have got sterling character alone should be appointed to function in the Advisory Committee. With these words, I support the motion before the House.

Mr. Thomas Chandy Mukkadan : സർ, ഈ സഭയുടെ പരിചിന്തനത്തിനു വിഷയമായിരിക്കുന്ന ഈ പ്രമേയത്തെ അനുകൂലിക്കുന്നതിനു എനിക്കു പല കാരണങ്ങളാലും സന്തോഷമുണ്ട്. നിയമസമിതികളുടെ പരിഷ്കരിച്ച കാലം മുതൽ തിരുവിതാംകൂറിന്റെ നാനാഭാഗങ്ങളിൽ നിന്നുമുണ്ടായ മുറവിളി സമുദായപ്രാതിനിധ്യത്തെ സംബന്ധിച്ച് ശാശ്വതമായും ശരിയായും ഉള്ള പദ്ധതികൾ അതിന്റെ കാര്യക്ഷമമായ നിർവഹണത്തിനുവേണ്ടി സ്വീകരിക്കപ്പെടണമെന്നതാണ്. വിദ്യാഭ്യാസാദിയോഗ്യതകളാൽ ഓരോ സമുദായങ്ങളിലേയും ഗണനീയ വിഭാഗങ്ങൾക്കുള്ള നിലയനുസരിച്ച് രാജ്യകാര്യസംബന്ധമായ കാര്യങ്ങളിൽ അവരുടെ പങ്ക് നിർവഹിക്കണമെന്നുള്ള അവകാശബോധവും താല്പര്യവും പൊതുവെ ഉണ്ടായതോടുകൂടി ഉദ്യോഗാർത്ഥികൾ സമുദായങ്ങളുടെ പ്രാതിനിധ്യം വഹിച്ച് ഗവൺമെന്റു സമക്ഷം ഇതിലേക്കുവേണ്ടി വാദം തുടങ്ങി. ഈ വാദത്തിനു പ്രാബല്യം ഉണ്ടാക്കിയതു വിനാശകാരികളായ ഏതാനും ചിലരുടെ വിക്രിയകളായിരുന്നു. സമുദായപ്രാതിനിധ്യവാദത്തിനു ശരിയായ ഒരു തീരുമാനം വരുത്തുന്നില്ലെങ്കിൽ മററു യാതൊരു കാര്യമായുള്ള സംഗതികളിലും ജനപ്രതിനിധികൾക്കോ ഗവൺമെന്റിനോ സ്വൈരമായി ചിന്തിക്കാനും കാര്യമായി പ്രവർത്തിക്കാനും നിവൃത്തിയില്ലെന്ന മട്ടായി. മനുഷ്യരുടെ സാന്മാർഗ്ഗികമായ ജീവിതംതന്നെ സ്വൈരമായ നിലയിൽ നയിക്കാൻ സാധിക്കാത്തവിധം സമുദായപ്രാതിനിധ്യത്തിനും ഉദ്യോഗസമ്പാദനത്തിനും വേണ്ടി ഉദ്യോഗാർത്ഥികളായ പലരും മുന്നോട്ടുവന്നു വിഷമിപ്പിച്ചു തുടങ്ങി എന്നു സാമുദായികമായ പരിവർത്തനങ്ങളേയും രാഷ്ട്രീയമായ പരിപാടികളേയും സംബന്ധിച്ച് ശരിയായി അറിയുന്ന രാജ്യകാര്യവിചിന്തകന്മാർ സമ്മതിക്കുമെന്നു ഞാൻ വിശ്വസിക്കുന്നു. അടുത്തകാലത്തു മതപരിവർത്തനം തന്നെയും, നടത്തിക്കൊണ്ടു സമുദായത്തിന്റെ നാമത്തിൽ—മതത്തിന്റെ നാമത്തിൽ— ഉദ്യോഗത്തിന്നപേക്ഷിക്കുന്നതു ഇവിടെ കാണാറായി. ഒരു പ്രാട്ടസ്റ്റന്റുകാരൻ കത്തോലിക്കനായിത്തീർന്ന് അവന്റെ മതസംബന്ധമായ കാര്യങ്ങൾ എങ്ങിനെയിരുന്നാലും, അവന്റെ സമുദായത്തിന്റെ സ്ഥിതിഗതികൾ എങ്ങിനെയിരുന്നാലും, അവന്റെ വിശ്വാസപരമായ സ്ഥിതിഗതികൾ എങ്ങിനെയിരുന്നാ

[Mr. Thomas Chandy Mukkadan.]

ലും — ഇവിടെ ഒരു സമുദായത്തെ ആക്ഷേപിക്കണമെന്നോ ആൎക്കെങ്കിലും മനോവേദന ഉണ്ടാക്കണമെന്നോ എനിക്കശേഷം ആഗ്രഹമില്ല — അവന്റെ കുടുംബജീവിതം, സ്വാതന്ത്ര്യം ഇവയെ സ്വൈരക്കേടിനടിമയാക്കി ഉദ്യോഗസമ്പാദനത്തിനു ശ്രമിച്ചു വരുന്നു. യഥാൎത്ഥത്തിൽ രാജ്യത്തിന്റെ നന്മയെ മോഹിക്കുന്ന രാഷ്ട്രീയ ചിന്തകന്മാർ സുസമ്മതമായ ഒരു തീരുമാനം ഈ വിഷയത്തിൽ വരുത്തിവച്ചിട്ട് ഈ വാദം തുടൎന്നുകൊണ്ടിരുന്നാൽ രാജ്യത്തിന്റെ ഐശ്വര്യം മുന്നോട്ടു പോകയില്ലെന്നുള്ള ബോദ്ധ്യത്തോടുകൂടിയാണ്.

സർ, വൎഗ്ഗീയപ്രാതിനിദ്ധ്യത്തിനു എതിരായി പ്രവൎത്തിച്ചുവന്നവർ തന്നെ അതിലേക്കു ഒരു ശരിയായ മാൎഗ്ഗം നിൎദ്ദേശിക്കാനിടയായതു തിരുവിതാംകൂറിലെ ഭാവിജനതയുടെ ഭാഗ്യമെന്നു ഞാൻ കരുതുന്നു. അങ്ങിനെ ഒരു പ്രമേയം അവതരിപ്പിക്കാൻ പ്രേരകമായിനിന്നു സൎവസമുദായ മൈത്രിക്കായി പ്രവൎത്തിച്ചവരെ ഞാൻ അനുമോദിച്ചുകൊള്ളുന്നു.

ഉദ്യോഗസമ്പാദനത്തിനു ഒരു സമുദായത്തിനുണ്ടായിരിക്കേണ്ട സകല യോഗ്യതകളും തികഞ്ഞിട്ടുള്ള സിറിയൻ കത്തോലിക്കൎക്കു നല്കിയിട്ടുള്ള പ്രാതിനിദ്ധ്യമെന്തെന്നു ചിന്തിക്കുമ്പോൾ കഴിഞ്ഞ മൂന്നു സംവത്സരക്കാലമായി പബ്ളിക്ക സൎവീസ് കമ്മീഷണർ നടത്തിയ നിയമനങ്ങളെപ്പററിയും അദ്ദേഹത്തിന്റെ ആഫീസിൽ നടന്ന അഴിമതികളെപ്പററിയും വളരെയൊക്കെ പ്രസ്താവിക്കേണ്ടതായിട്ടുണ്ടായിരുന്നാലും ഒരു പരിവൎത്തനത്തിനായി ശ്രമിക്കുന്ന ഈ ഘട്ടത്തിൽ ഞാൻ ആ സംഗതികളെ വിട്ടുകളയുന്നു. ഇന്നത്തെ പബ്ളിക്ക് സൎവീസ് കമ്മീഷണർ ഒരു പാശ്ചാത്യനും നീതിനടത്താൻ പ്രാപ്തനാണെന്നു നീതിന്യായവകുപ്പിൽനിന്നു പേരുസമ്പാദിച്ച ഒരാളുമാണ്. അങ്ങിനെ മഹായോഗ്യനായിരിക്കുന്ന പബ്ളിക്ക് സൎവീസ് കമ്മീഷണരുടെ അധീനതയിലുള്ള ഡിപ്പാൎട്ടുമെന്റുതന്നെയും ഉദ്യോഗവിതരണത്തിൽ എത്രത്തോളം ദുഷിച്ചു പോയിട്ടുണ്ടെന്നുള്ള വസ്തുത മറച്ചുവയ്ക്കാവുന്ന ഒരു പരമാൎത്ഥമല്ല. ഇവിടത്തെ സ്ഥിതിഗതികൾ നേരിട്ടറിയാൻ കഴിയാത്ത അദ്ദേഹത്തെ ഉപദേശിക്കുന്ന ചില ഉദ്യോഗസ്ഥന്മാർ പല വിക്രിയകൾ നടത്തിയിട്ടുണ്ടെങ്കിലും അവകളെ ഈ ഘട്ടത്തിൽ വിസ്മരിക്കേണ്ടതു് ഒരു രാജ്യസ്നേഹി എന്ന നിലയിൽ എന്റെ കടമയാണെന്നാണ് ഞാൻ വിചാരിക്കുന്നതു്. ഇങ്ങിനെയുള്ള ഉപദ്രവങ്ങൾ ഇനിയും ആവൎത്തിക്കാതിരിക്കണമെങ്കിൽ ഓരോ സമുദായത്തിന്റെയും യഥാൎത്ഥമായ ഒരു സ്ഥിതിയും അതാതു സമുദായത്തിനു നല്കേണ്ട സ്ഥാനവും ഇന്നതാണെന്നു് ഉപദേശിക്കത്തക്കവിധമുള്ള ഒരു സ

മിതി ഇന്നത്തെ പബ്ളിക്ക് സർവീസ് കമ്മീഷണർ ഈ വകുപ്പിന്റെ അദ്ധ്യക്ഷനായിരിക്കുന്ന കാലത്തോളമെങ്കിലും ഉണ്ടായിരിക്കണം. ഈ രാജ്യത്തെ സമുദായങ്ങൾ തമ്മിലുള്ള വഴക്ക മേലാൽ തുടർന്നു രാജ്യത്തിന്റെ ഉത്തമ താല്പര്യങ്ങൾക്ക കുഴപ്പം വരാതിരിക്കണമെന്നുള്ള ആഗ്രഹം ഈ പ്രമേയപ്രയോക്താവിനുണ്ടെന്ന് എനിക്ക വിശ്വാസമുള്ളതിനാൽ ഞാൻ ഈ പ്രമേയത്തെ ആത്മാർത്ഥമായി അനുകൂലിച്ചുകൊള്ളുന്നു.

Mr. N. Krishna Aiyar: Sir, I beg to differ in one or two fundamental points. I agree with my honourable friend Mr. Narayana Aiyar in thinking that, at least, the employment as Munsiffs, should not be brought under the Public Service Recruitment Rules. Efficiency and character alone should be the sole and main tests in the recruitment of Munsiffs, as the chief function of the Government is the administration of law and justice. Therefore, I repeat that in the selection and recruitment as Munsiffs, the choice must be left to the honourable Judges of the High Court.

Mr. T. Mahomed Ismail: May I know from the member whether the Magistrates are also not administering justice?

Mr. N. Krishna Aiyar: It is true. But they are already being recruited both from the bar as well as from certain departments. Now, as a matter of fact we all know that Munsiffs are recruited both from the bar as well as from the members of the ministerial service of the Judicial Department. It is the Judges of the High Court who are the best and most competent body to judge the merits and demerits of particular individuals so chosen as Munsiffs in the Judicial Department.

Secondly, recruitment to public services being made from the literate or educated classes and not from the masses as a whole, I am of the view that the mass population or total strength should not be the basis, but the literate or the educated population of each community should be the basis for recruitment.

Though the observation from the Dewan-President and the Census Commissioner have enlightened us that the Census which is now under contemplation may be farther off than we expected, still whatever rules may be framed now may be made operative only up to the time when the results of the next Census are known, because, the population which is now held as the basis of ratio, should not be the population of a decade ago, but what it is when the rules are made operative.

Lastly, I find that in the composition of the advisory committee one of the enlightened communities in the State, the Brahmin community, though a minority community, is excluded altogether. Either the rules must be framed and the Public Service Commissioner be asked to administer them according to the spirit of the

[Mr. N. Krishna Aiyar.]

rules or the committee must consist of representatives of persons chosen from all the different communities mentioned in the recruitment rules. With these exceptions or modifications I support the motion.

Mr. Kottur Kunjukrishna Pillai: I am very happy to find that there has been general agreement with regard to the proposition before the House. Only, one or two points have been raised here regarding the details. I wish to refer to one point especially and that is the one raised by my honourable friend Mr. Kuruvilla regarding the representation of "other Hindus." In the proposition before the House "other Hindus" have been divided into 'forward Hindus' as well as 'backward Hindus.' In the grade 'forward Hindus' certain communities like the Kshatriyas, Mudaliyars, Ambalavasis etc., are included and those come to just less than 50,000, and a seat is given to them. If they are clubbed together with the 'backward class Hindus' the backward class Hindus will suffer. There is no reduction in the number of seats given to other Hindus as a whole. My friend did not take into account special representation given to the Kurava and the Paraya and other backward Hindus. Those together will come to 5 seats and five seats alone are claimed by my friend on behalf of other Hindus.

With regard to the order of rotation of the various communities, any arrangement can be criticised because some community has to be put first. But after all the advantage, if any, is only till the first round is over. I do not think there is much in that. An arrangement must give equitable chance to all communities. That point can be agreed to.

A word about the recruitment of Munsiffs. It has to be pointed out that even the honourable High Court had adopted some kind of communal rotation for recruitment to the cadre of Munsiffs till recently. That fact has to be borne in mind by my honourable friends Mr. Narayana Aiyar and Mr. Krishna Aiyar who by the way have signed a memorial almost on identical lines with these resolutions just now before the House. Then with regard to the efficiency criterion which should be observed in recruiting Munsiffs, the Laws Delays Commissioner, who suggested methods for the recruitment of Munsiffs, has admitted the difficulty in choosing Munsiffs on the basis of efficiency test, because, if the best material should be recruited, they must be got while they are still young and while they have not established themselves sufficiently in the profession. For, if they have established themselves sufficiently in the profession, the best among them will not be available for appointment as Munsiffs in the Munsiff's cadre. Practically speaking, nobody says that inefficient people should be appointed. In any event

efficiency will not suffer more than it does now. Indeed, we do not say that we are providing rules for recruitment for the selection of the very best. That does not mean that there is no consideration for efficiency. For the sake of harmony, a workable minimum of efficiency shall be fixed.

I do not wish to say anything regarding the bantering speech of my honourable friend Mr. Balakrishnan Tampi. It is very easy, nay even tempting, to venture in that direction. You cannot make a very attractive speech in support of communal representation. But it is very easy to make a speech full of humour and sarcasm if you stand for the ideal of efficiency. My friend is in a happy position to continue in that direction; but he himself has realised that he is an "ineffective angel, beating his luminous wings in the void" when he was attempting to oppose the motion. All the same, Sir, I thank him for giving his general support to the motion.

With these words, I commend the motions for the acceptance of the House.

The motions were put to vote and carried.

LEGISLATIVE BUSINESS.

Discussion of the Report of the Debt Relief Enquiry Committee.

Mr. Puthupally S. Krishna Pillai: I rise to introduce the Report of the Debt Relief Enquiry Committee. In doing so, I may be permitted to put it to the House whether they would now think it worth while to discuss in detail the recommendations of the Committee, in the light of the assurance already given by Government......

President: I might inform the honourable members of this House that, after careful consideration of this matter, having regard to the general feeling on this matter which has made itself felt and which has been expressed publicly, Government have decided to summon a Joint Session of the two Houses, during the first week of March, for the purpose of considering this matter.

Mr. Puthupally S. Krishna Pillai: In view of that announcement, I do not wish to add anything. It is entirely left to the House whether they would discuss the Report now or not.

Mr. Kochikal P. Balakrishnan Tampi: May I know from the Legal Remembrancer, whether, under the present constitution, it is permissible to call together a Joint Session except for the Dewan-President to address?

President: The matter has been looked into. In the Assembly and Council Rules, provision has been made for Joint Committees composed of an equal number of representatives chosen from both the Houses. But, there is provision under Parliamentary

[President]

procedure, even in respect of Houses so disparate as the House of Lords and the House of Commons, for joint meetings of both the Houses; that is within parliamentary practice, although, on account of the unwieldiness of the Houses of Parliament, on account of the architectural deficiency of the Westminster Hall, such a joint meeting has not often happened.

Apart from the architectural deficiency in London there is authority for a Joint Session of the two Houses being held. I would invite the attention of the honourable members to pages 603 and 604 of Erskine May's "Parliamentary Practice." It is stated there——

> "Such addresses are presented either by both Houses in a body, or by two peers and four members of the House of Commons; and they have been presented also by committees of both Houses; by a joint committee of Lords and Commons...... ..
>
> The subjects upon which addresses are presented are too varied to admit of enumeration. They have comprised every matter of foreign or domestic policy; the administration of justice, the confidence of Parliament in the ministers of the Crown.........In short, representations upon all points connected with the government and welfare of the country;.........

The only exception is.........

> "..........they ought not to be presented in relation to any bill depending in either House of Parliament."

In other words, if a bill has already been introduced in a House it is considered a trespass upon its jurisdiction to have a joint address; subject to that, a joint meeting is possible.

And, there are many conveniences attending upon a joint meeting. I trust honourable members will have no objection to make history; because, we are going to have it for the first time in India.

Mr. Kottur Kunjukrishna Pillai: We are not anxious to discuss the details of the Report now; we only want the matter to be disposed of expeditiously.

President: It is for that, that we are thinking of a joint session.

I take it that the House agrees to that course.

REPORT OF THE PUBLIC ACCOUNTS COMMITTEE.

Mr. M. Govinda Pillai: I beg to move that the Report of the Public Accounts Committee on the Audit and Appropriation Accounts of 1113, may be taken up for consideration.

As no motion had been given notice of, the President called upon Mr. Ananthasiva Aiyar to move his motion for adjournment of the House.

ADJOURNMENT MOTION.

Havoc done to Punja cultivation.

Mr. M. K. Ananthasiva Aiyar: Sir, I beg to move for the adjournment of the business of the House to discuss a matter of urgent public importance, namely, the serious and alarming situation caused on account of havoc done to Punja cultivation in Kuttanad by the unprecedented floods and the rice-swarming caterpillar pest.

Sir, for a clear understanding of the havoc done to the Punja cultivation this year, and to give the Government and the House a correct idea of the extent of damages suffered by the cultivators concerned, I think it better to classify Punja lands into *kayal* lands and *karappadoms.*

Sir, these lands are cultivated only in alternate years, except small plots here and there. Cultivation in these lands has to begin after the north-east monsoon and should be over before the south-west monsoon sets in; because, these Punja lands are always under water, and the water has to be pumped out for cultivation; and that is possible and easy only during the period I have mentioned.

As a preliminary to the draining of the water, bunds have to be put up all round, sufficiently early. That work generally has to be done in Chingam; in the case of the lands nearer the Cochin bar, it has to begin even earlier. The pumping out of water begins early in Tulam and takes 30 to 35 days.

This year, after the bunds were put up and part of the water drained, unfortunately, on account of unprecedented floods, all the bunds were destroyed, and the whole area again got inundated; and, naturally, the water had again to be pumped out and bunds put up in order that cultivation could be started. Representations were made to Government, and, they were eager to come forward to our rescue. The Land Revenue Commissioner who has already become famous for his special kindness towards the agriculturists, submitted a report on the flood havoc. As a result of that report and the representations made to Government, an amount of Rs. 50,000 was kindly sanctioned by Government, as special loan to be distributed among the Punja cultivators. A good portion of it has actually been distributed already.

President: I think the whole of it has been distributed.

Mr. M. K. Nilakanta Aiyar; No, Sir, only about Rs. 25,000.

Mr. M. K. Ananthasiva Aiyar: Sir, the loan was sanctioned at the most opportune moment, and it was of immense help to the Punja cultivators. I take this opportunity to express on behalf of these cultivators, their heartfelt thanks and deep sense of gratitude to Government.

Now, Sir, in spite of that generous help by Government, on account of the necessity to re-do the bunds and to bale out the water once again, the cost of cultivation has been doubled.

In the case of the kayal lands near the Cochin bar, the water generally gets saltish by Makaram. The water in the third period of the Vembanad reclamation area has already become saltish.

To add to all these difficulties, there is also a pest, the rice-swarming caterpillar. The Agricultural Department has been trying its level best to eradicate this pest, but it has not so far succeeded. The havoc done by these caterpillars is unimaginable. They have eaten practically all the leaves of the plants in the *padoms*; and the old method of attempting to sweep out the pest has cost us a good deal. However much we may try to remove the pest from the land, a few of them still remain. Some remedy has to be found out to exterminate the pest from the area. Now that we have got the University with a research section attached to it, I hope that Government will be able to solve the problem through the University. The history of this rice-swarming caterpillar has to be studied.

Mr. M. Govindan: May I know whether the Agricultural Department has been approached to find a remedy?

Mr. M. K. Ananthasiva Aiyar; It has been approached and it has been working at it. But it has not been able to find out a remedy. Every year some Entomologist will come there and give us some suggestion. Experiments will be conducted upon our lands resulting at times in very great loss to us. That has been the practice. Anyhow we find after long experience that sweeping out with the broom is the best remedy. Thousands of coolies are engaged for the purpose. One difficulty which we felt this year unlike in ordinary years was that on account of the floods, all the lands in the Kuttanad area had to be cultivated in the very same season and the rice-swarming caterpillar came into existence in all these places simultaneously. There was paucity of labourers so that we could not remove the pest in time. If an officer is deputed all at once to see the Kuttanad area, he will report that considerable havoc has been done to that area. As an agriculturist, it has been my experience that whenever this caterpillar pest occurs, the yield will be very poor as the plants that have been attacked by the caterpillar will take a longer time to bear fruit. At the time of the

harvest, some will be green, others will be ripe and all will not be even. Thus there will be another difficulty also. I would even go to the extent of saying that it may not be safe to leave the matter unnoticed for long. In this connection I would invite the Head of the Administration himself to come and see the area so that our real difficulties could certainly be appreciated by him. If, on account of multifarious duties, he finds that he will not be able to visit the area, I submit that he may depute Mr. Ramachandra Rao himself to go and see the place so that our real difficulties in the matter of harvesting may be studied by him on the spot. This year the harvesting season is held at the very same time in all the places in the area. Generally it will be earlier in the *kayal padoms* than in the *kara padoms*. For harvesting, we get down people from Karthikapalli, Karunagapalli, Mavelikara, Chengannur and other neighbouring places.

Mr. Kottur Kunjukrishna Pillai: May I know from the honourable member what all this has to do with the adjournment motion?

Mr. M. K. Ananthasiva Aiyar. All these people from the various places have to be hired for the harvesting season. This year on account of the floods the cultivation season was extended a little to the close of the year.

President: On account of the floods the time for harvesting has been postponed and therefore, he could not get necessary labour. The connection is rather distant. The honourable member may proceed.

Mr. M. K. Ananthasiva Aiyar: As a result of the havoc done by the floods we had to postpone the date for harvesting.

Mr. Thomas Chandy Mukkadan: പുഴകളുടെ ഉപദ്രവം ഉണ്ടാകുന്നതുകൊണ്ട് കൊയ്ത്തുകാലം ഒരാഴ്ച പിൻപു ആയിപ്പോകയില്ലേ ? അങ്ങനെ വരുമ്പോൾ കുറെ അധികം നിലങ്ങൾ ഒന്നിച്ചു കൊയ്യേണ്ടിവരികയില്ലേ ?

Mr. M. K. Ananthasiva Aiyar: വരും. So we cannot get the required labour at that time. In Mavelikara and other places the harvesting is to be done in Medom. In Kuttanad area also it has to be done in the same month. So we cannot get labourers from outside. Hence, some labour-saving device has to be introduced for conducting the harvest properly. With these words I commend the motion for the acceptance of the House.

Mr. Puthupally S. Krishna Pillai: What is the honourable member's suggestion for that ?

Mr. M. K. Ananthasiva Aiyar: Threshing machines.

Mr. Kochikal P. Balakrishnan Tampi: Sir, I support the resolution. I do not know what I should suggest. Whether the Entomologist should go or the Land Revenue Commissioner should go is the question. After all, at this part of the year, the Entomologist can be of little help. It is the Land Revenue Commissioner who must eventually render us the help. Not even a sudden trip is necessary. At the close of the year when the ryots have to pay tax I think some consideration may be shown to them, especially to those whose crops have been damaged by this pest.

In this connection, Sir, I may express the grateful feeling of the people of Kuttanad for the timely attention bestowed on the area during the last flood. I shall be failing in my duty, Sir, if I do not place on record the very valuable services rendered by the officer who was deputed to distribute the loans. Sir, if there had been half a dozen officers like him in the Travancore service, I am sure that today there would not have been so much clamour for communal representation. Sir, It is a pleasure to know that in every work that he has been entrusted with he has shown an ability rarely to be found. My friends might be wondering why I am talking so much about this officer. It is more in the nature of a valedictory address. That officer is about to retire or has retired. I would request Government to send that officer or, if it is not possible to send that identical officer, to send any other officer who will approximate to him, in virtues, to look into this grievance. With these words, I support the resolution.

Mr. K. R. Narayana Aiyar (*Director of Agriculture and Fisheries*): Sir, the honourable mover of the motion has referred in the second part of the motion to the occurrence of the rice-swarming caterpillar pest. Before stating in detail the nature, the incidence and the ravages of this pest, it would perhaps be better if I were to enlighten the House on the very peculiar features of the occurrence of this pest. The rice-swarming caterpillar pest is not a pest, Sir, which is prone to attack only the areas in Kuttanad. It occurs in large areas in Cochin, the Northern Circars, certain parts of Malabar, Ceylon, Java and many other places. The difficulty about it is its sudden appearance. The adults come all of a sudden and lay eggs ranging from 500 to 2500 on a single day and the caterpillars multiply rapidly and within 20 to 25 days considerable havoc is done.

There are certain known remedies of controlling this pest, of which the most important is flooding the area and washing out the swarms. That is the remedy which is adopted everywhere. The second remedy is sweeping with a broomstick the whole lot of the pest into a basket and then destroying them. The third remedy is the introduction into the area of ducks which feed upon the caterpillars and thereby control the pest. As I said, the chief difficulty is the sudden nature of the occurrence of the pest. During its duration of 20 to 25 days, it causes ravages over a vast area. This problem has been very carefully considered, not only here but also in Madras. I have had a series of correspondence with the experts in Madras faced with similar difficulties. They have stated that there is a correlation between the climatic conditions and the occurrence of the pest. The appearance of a cloud, or a change in the humidity of the atmosphere will help the spreading of the pest.

Mr. M. K. Ananthasiva Aiyar: How do they migrate?

Mr. K. R. Narayana Aiyar: They take to nocturnal flights like the locusts. They fly very fast.

The Department of Agriculture has been doing its best to control the pest by known methods. I have reports from the Agricultural Inspectors at Mavelikara and Monkompu who are working hard and I am sure the honourable mover of the motion will bear testimony to that. It is very necessary that the pest should be tackled. It is no doubt of a very serious nature. In regard to conducting investigations as to how the pest should be controlled and at what stage, the University, since the transfer to it of the Entomological section, has taken up the problem in right earnest. The Council of Research has constituted a committee of applied biology of which I am a member and a scheme for the investigation of the pest has already engaged the attention of this Committee. Their attempt will be to find out how the pest could be eradicated. At present all that is possible is being done. Known measures are being put into operation and the officers are doing their best to bring the pest under control. This morning I had a talk with the Director of Research with a view to coordinating the efforts of the officers on spot and he has deputed a few hands from the Entomological section. All that is possible will be done. That is all I have to say.

Mr. M. K. Ananthasiva Aiyar: May I know whether the honourable member refers to controlling this year or in the coming year?

Mr. K. R. Narayana Aiyar: With the co-operation of the people of the area and by putting into operation known measures all that is possible will be done this year itself.

Mr. Thomas Chandy Mukkadan: സർ, ഈ പ്രമേയത്തെ അനുകൂലിക്കുന്നതിൽ എനിക്കു വളരെ സന്തോഷമുണ്ടു്. പുഴുവിന്റെ ഉപദ്രവത്തെ സംബന്ധിച്ച് പറയുമ്പോൾ അതു നെൽച്ചെടികൾ വരുത്തുന്ന ദോഷം മാത്രമല്ലാ ഞാൻ ഇവിടെ വിവരിക്കുവാൻ ഉദ്ദേശിക്കുന്നതു്. പ്രമേയപ്രയോക്താവു പറഞ്ഞതുപോലെ പുഴുക്കളുടെ ഉപദ്രവം ഉണ്ടാകുന്ന നെൽച്ചെടി പ്രായത്തിൽ കുറഞ്ഞതു ൰൫ ദിവസം മുന്നോട്ടു പോകുന്നു. അതായതു, വിളവെടുപ്പിനു ൰൫ ദിവസത്തെ താമസം ഉണ്ടാകും. ഇതിനെ സംബന്ധിച്ചു മററു ചില കാര്യങ്ങൾകൂടി ഗവണ്മെന്റിന്റെ സത്വരശ്രദ്ധക്കു വിഷയമാക്കണമെന്നാണു് ഞാൻ വിചാരിക്കുന്നതു്.

മി. എം. കെ. അനന്തശിവയ്യർ പറഞ്ഞതുപോലെ ഓരിന്റെ ഉപദ്രവം വളരെയുണ്ടാകുന്നുണ്ടു്. വേമ്പനാട്ടു് കായലിന്റെ തീരത്തുള്ള കുട്ടനാടൻ വടക്കൻ പ്രദേശങ്ങളിൽ ഓരു് ആദ്യം കയറുന്നുണ്ടു്. പുറക്കാടു തുടങ്ങിയ തെക്കൻ പ്രദേശങ്ങളിൽ ഓരു് വളരെ താമസിച്ചാണു് വരുന്നതു്. പുഴുവിന്റെ ഉപദ്രവമുണ്ടാകുന്ന നെൽച്ചെടികളുടെ വിളവെടുപ്പിനു് താമസമുണ്ടാകുമെന്നു് പറഞ്ഞുവല്ലോ. ഈ താമസത്തിന്റെ ക്രമമനുസരിച്ചു് വെള്ളത്തിന്റെ ആവശ്യത്തിനുള്ള സമയവും നീളുന്നു. ഇക്കൊല്ലത്തെ അപ്രതീക്ഷിതമായ വെള്ളപ്പൊക്കം മൂലം കൃഷിക്കുണ്ടായ താമസത്തിനു് പുറമെ പുഴു വീഴ്ചകൂടി സംഭവിച്ചപ്പോൾ വിളവെടുപ്പിന്റെ കാലം വളരെ നീളുകയും തന്മൂലം ഓരിന്റെ ഉപദ്രവത്തെക്കൂടി കൃഷിക്കാർ നേരിടേണ്ടിവരികയും ചെയ്തിരിക്കുന്നു. മുൻകാലങ്ങളിൽ ഓരിൽനിന്നു കൃഷിക്കാരനു രക്ഷകിട്ടാൻ ഗവണ്മെന്റിന്റെ ചെലവിൽത്തന്നെ ഓരുമുട്ടുകൾ ഉണ്ടാക്കിക്കൊടുത്തിരുന്നു. കൃഷി വർദ്ധിച്ചും ആ തൊഴിൽ ആദായകരമായും തീർന്നതോടുകൂടി ഓരുമുട്ടുകൾ പ്രായേണ കൃഷിക്കാർ തന്നെ ഉറപ്പിച്ചു തുടങ്ങി. കൃഷിക്കാരന്റെ വരവു് അനേക കാരണവശാൽ കുറഞ്ഞും ചെലവു വർദ്ധിച്ചും ഇരിക്കുന്ന നിലക്കു് കൃഷിക്കാരനെക്കൊണ്ടുമാത്രം ഇക്കാലത്തു് ഓരുമുട്ടുകൾ ഉറപ്പിക്കാൻ സാദ്ധ്യമില്ല. റവന്യൂ ഡിപ്പാർട്ടുമെന്റു ഈ വക സംഗതികളിൽ അപേക്ഷ സ്വീകരിച്ചാൽ ഓരു നീണ്ട വിളവെടുപ്പു കാലമാകുമ്പോൾ മാത്രമെ എന്തെങ്കിലും ഒരു തീരുമാനം ചെയ്യാറുള്ളു. പുഴുവിന്റെ ഉപദ്രവംമൂലം വിളവെടുപ്പുകാലം നീണ്ടുപോകുന്ന കൃഷിക്കാരന്റെ രക്ഷക്കു ഇപ്പോൾ ഉണ്ടാകുന്ന ഓരു് ബാധകമാകാതിരിക്കത്തക്കവണ്ണം യഥാവസരത്തിൽ

യഥാസ്ഥാനത്തു ഓരുമുട്ടുകൾ കെട്ടാൻ കർഷകരെ സഹായിക്കണം. കർഷകർക്കു് നേരിട്ടു് ബന്ധപ്പെടാത്ത പൊതുസ്ഥാനങ്ങളിൽ ഗവൺമെൻറിൽനിന്നുതന്നെ ഓരു് തടഞ്ഞു് നിർത്തത്തക്കവണ്ണം ശരിയായ മുട്ടുകൾ ഉറപ്പിച്ചു കൊടുക്കണം. കഷ്ടിച്ചു് നൂറു രൂപാകൊണ്ടു തീർക്കാവുന്ന ഒരു മുട്ടു് യഥാകാലം തീർക്കാതിരുന്നാൽ അനേകായിരപ്പറ നിലങ്ങളുടെ വിളവിനു് ദോഷം വരുന്നതാണു്. ഗൗരവമായ ഈ സംഗതിയിൽ ഗവൺമെൻറു് കാര്യമായി ശ്രദ്ധ പതിക്കുന്നില്ലെങ്കിൽ പുഞ്ചകൃഷി ഇനിയും കൂടുതൽ അധഃപതിച്ചു പോകുമെന്നുള്ള വസ്തുത കുട്ടനാട്ടിലെ ഒരു പ്രതിനിധിഎന്ന നിലയിൽ ഞാൻ ഗവൺമെൻറിനെ അറിയിച്ചുകൊള്ളുന്നു.

ബഹുമാനപ്പെട്ട കൃഷി ഡയറക്ടർ പ്രസ്താവിച്ച പ്രകാരം അല്ലാ പുഴുവിൻെറ ഉപദ്രവം ഉണ്ടാകുന്നതെന്നു ഒരു യഥാർത്ഥ കൃഷിക്കാരൻെറ നിലയിൽ—പുഴുവിൻെറ മദ്ധ്യത്തിൽ ൨൪ മണിക്കൂറിനു മുൻപു വരെ കഴിച്ചുകൂട്ടിക്കൊണ്ടിരുന്ന കുട്ടനാട്ടിലെ ഒരു കൃഷിക്കാരൻെറ നിലയിൽ—എനിക്കു പ്രസ്താവിക്കാൻ കഴിയും. കാളേജ് വിദ്യാഭ്യാസം അവസാനിച്ചശേഷം കഴിഞ്ഞ ൨൭ കൊല്ലക്കാലത്തോളം കൃഷികവൃത്തിയിൽ ഏർപ്പെട്ടിരിക്കുന്ന എൻെറ കൃഷി പ്രവർത്തനത്തിൻെറ ഫലമായി പുഴുക്കളുടെ ഉപദ്രവം എങ്ങിനെ തടയാൻ കഴിയുമെന്നു് അനുഭവങ്ങൾ പ്രസ്താവിക്കാം. കൊയ്ത്തു കഴിഞ്ഞശേഷം ഭൂമിയിൽ ഉരവും കുമ്മായവും ചേർത്തു ന്യായമായി ഉഴുകയും ഇളക്കുകയും ചെയ്താൽ അടുത്തകാലത്തു പുഴ ഉണ്ടാകയില്ല. ചില ഭൂമിയുടെപ്രകൃതിവിശേഷം കൊണ്ടാണു് പുഴ കൂടുതലായി ഉണ്ടാകുന്നതു്. ദൃഷ്ടാന്തമായി പറയുകയാണെങ്കിൽ രണ്ടു നിലങ്ങൾ എടുത്തു ഒന്നിൽ ഉരവും കുമ്മായവും ഇട്ടു ഉഴുതു് വിതയ്ക്കുകയും മറെറാന്നിൽ അങ്ങിനെ ചെയ്യാതെ വിതയ്ക്കുകയും ചെയ്താൽ ആദ്യത്തേതിൽ പുഴ വളരെ കുറവായിട്ടേ കാണുന്നുള്ളു. രണ്ടാമത്തേതിൽ പുഴ അധികം വന്നുചേരും. പുഴ വീഴുന്ന സ്ഥലങ്ങളിൽ എല്ലാ കാലത്തും പുഴ വീഴുന്നുണ്ടു്. പുഴ വീഴാത്ത സ്ഥലങ്ങളിലും ക്രമേണ പുഴുവിൻെറ ആക്രമണം ഉണ്ടാകാതിരിക്കത്തക്കവണ്ണം ശരിയായ പരിശോധനചെയ്തു മണ്ണിൽ ഏതെങ്കിലും പ്രവർത്തനങ്ങൾ ചെയ്യേണ്ടതാവശ്യമാണു്.

President : Does the honourable member suggest that the worm resides in the soil?

Mr. Thomas Chandy Mukkadan : Yes, Sir.

പ്രകൃതം വിട്ടു ഇത്രയും പ്രസ്താവിക്കാൻ ഇടയായതു ബഹുമാനപ്പെട്ട കൃഷിഡയറക്ടർ അവർകളുടെ പ്രസ്താവന കേട്ടതുകൊണ്ടാണു്. പരീക്ഷണ

[Mr. Thomas Chandy Mukkadan.]

ങ്ങളും നടത്തുന്നപക്ഷം അതിലേയ്ക്കു വേണ്ട സഹായങ്ങളും ചെയ്യാൻ സന്നദ്ധതയുള്ള ഒരാളാണു മി. എം. കെ. അനന്തശിവയ്യർ. അദ്ദേഹം ഒരു ഒന്നാന്തരം കൃഷിക്കാരനും ശാസ്ത്രീയമായ ഗവേഷണങ്ങളും നടത്തുന്നതിനു വേണ്ട ഉത്സാഹങ്ങൾ ചെയ്തുകൊടുക്കാൻ തയാറുള്ള ഒരു ദേഹവുമാണ്. അതുപോലെയുള്ള മറ്റൊരാളാണ് മി. എൻ. കൃഷ്ണയ്യർ. അദ്ദേഹവും മി. അനന്തശിവയ്യരെപ്പോലെ കർഷകരക്ഷക്ക് വേണ്ട നടപടികളിൽ ഗവൺമെൻറിനോട് സഹകരിച്ചു പ്രവർത്തിക്കാൻ സന്നദ്ധതയുള്ള ഒരു കുബേരനാണ്. കുട്ടനാട്ടിൽ വലിയ ഭൂസ്വത്തും കർഷകവൃത്തിയിൽ നേരിട്ട് പരിചയവുമുള്ള ഇവർ ഈ സഭമുമ്പാകെ കൊണ്ടുവരുന്ന അഭിപ്രായങ്ങളും നിവേദനങ്ങളും യഥാർത്ഥമാണെന്നും അവ രാജ്യത്തിന്റെ ഭാവിനന്മയെ സാരമായി സ്പർശിക്കുന്നതാണെന്നും ഗവൺമെൻറിന്റെ സത്വരവും അവഗാഢവുമായ ശ്രദ്ധയ്ക്കു അവ വിഷയീഭവിക്കേണ്ടതാണെന്നും ഞാൻ അറിയിച്ചുകൊള്ളുന്നു.

മി. അനന്തശിവയ്യർ പുഴുവിനെ ചൂലുകൊണ്ടു അടിച്ചു മാററണമെന്നു പറഞ്ഞു. അതത്ര സുഗമമായ ഒന്നല്ല. സാധാരണ പുഴുവിനെ നശിപ്പിക്കാൻ അവിടെ ആദ്യമായി ചെയ്യുന്നതു വെള്ളം കയററി നിറുത്തുകയാണ്. ഒന്നുരണ്ടുദിവസം ഇങ്ങനെ വെള്ളം കയററി നിറുത്തുമ്പോൾ പുഴ പോയേക്കാം. ചിലപ്പോൾ അതുകൊണ്ടും പ്രയോജനമില്ലെന്നുവന്നേക്കാം.

President : Do these caterpillars swim ?

Mr. M. K. Ananthasiva Aiyar: They cannot live in the water, Sir.

Mr. Thomas Chandy Mukkadan : വെള്ളം ചൂടുപിടിച്ച് ഒന്നു രണ്ടുദിവസം കിടക്കുമ്പോൾ നെൽച്ചെടികൾ കമ്പുകൾകൊണ്ട് വീശി ഇളക്കിയാൽ ചെറു ക്രിമികൾ വെള്ളത്തിൽ വീണ് ഏറക്കുറെ നശിക്കും. ചൂല്കൊണ്ട് അടിച്ചു മാററുന്നതിനായാലും വെള്ളം കയററി നിറുത്തേണ്ടതാണ്. വെള്ളം കെട്ടിനിറുത്തണമെങ്കിൽതന്നെ പുറത്തുള്ള വരമ്പുകളെപ്പോലെ ഇടവരമ്പുകളും കുത്തേണ്ടിയിരിക്കുന്നു. വരമ്പു കുത്തുന്നതിനാവശ്യമുള്ള ചവറു, കാട്ട് മുതലായവ ചവറ മുതലായ ഭൂമികളിൽനിന്നു വേണം കൊണ്ടുവരാൻ. എന്റെ ചെറുപ്പകാലത്തു ന്നു രൂപായോ അല്ലെങ്കിൽ ഇരുപത്തിരണ്ടോ മുപ്പതോ പറ നെല്ലോ കൊടുത്തു കൊണ്ടിരുന്ന ഒരു വള്ളം കാടിന് ഇപ്പോൾ ൬൦ മുതൽ ൧൨൦ പറ നെല്ലുവരെ കൊടുക്കേണ്ടിയിരിക്കുന്നു. പുഴ അടിച്ചു വാരുന്ന ആവശ്യത്തിലേക്ക് മാത്രം ഇടവരമ്പുകൾ ഉയർത്തുന്നതിന് കുട്ടനാട്ടിൽ ആകെയുള്ള

പത്തിരുപതു് ലക്ഷം പറ നിലത്തിലെ അധികച്ചിലവുതന്നെ വളരെ ഭീമമായ ഒരു സംഖ്യയാണ്. ഈ ജോലി നടത്തുന്നതിനു പ്രധാന കൃഷിക്കാർ ഒഴികെ മററുള്ളവക്കു ശക്തിയില്ല. പുല്ലിൻെറ കുറവു വളരെയുണ്ടു്. ഈക്കൊല്ലത്തെ വെള്ളപ്പൊക്കംകൊണ്ടു് ആ പ്രദേശങ്ങളിലുള്ള കാടിൻെറ അഥവാ പുല്ലിൻെറ ഒരു വലിയഭാഗവും നഷ്ടപ്പെട്ടുപോയിരിക്കുന്നു. ഇങ്ങിനെ വെള്ളപ്പൊക്കംകൊണ്ടുള്ള നഷ്ടം ഒരു പ്രകാരത്തിലും, പുഴവീണിട്ടുള്ള നഷ്ടം മറെറാരു പ്രകാരത്തിലും കുട്ടനാട്ടിലെ കൃഷിക്കാരെ വിഷമിപ്പിച്ചുകൊണ്ടിരിക്കുന്നു. മേൽ പ്രസ്താവിച്ച പല സംഗതികൾ ഒന്നായി ആലോചിക്കുമ്പോൾ പുഴവീഴ്ചയുടെ ഭയങ്കരാവസ്ഥയും തൽകാരണത്താലുള്ള ഗണ്യമായ നഷ്ടവും എത്രമാത്രമുണ്ടെന്നു വിശദപ്പെടുന്നുണ്ടു്. പുഴബാധ വിളവു് കുറക്കുന്നു. വിളവെടുപ്പു് കാലം നീട്ടി ഓരിൻെറ ഉപദ്രവം അനുഭവപ്പെടാൻ ഇടയാക്കുന്നു. അധികച്ചിലവു് വരുത്തുന്നു. പഴയ കാലങ്ങളിൽ പുഴുവിനെ ഒരു തരം കുട്ടകൊണ്ടു വീശിയെടുക്കയാണു പതിവു്. ഇപ്പോൾ അവകളൊന്നും ഫലപ്രദമാകുന്നില്ല. ശാസ്ത്രീയമായ പരിശോധന ചെയ്യാൻ ചുമതലപ്പെട്ടവർ ചെയ്യാത്തതിൻെറ ഫലമാണ് പരമാർത്ഥത്തിൽ കുട്ടനാട്ടിൽ ഉണ്ടായിക്കൊണ്ടിരിക്കുന്ന വിപത്തുകൾ. ആരെയും വ്യക്തിപരമായി ദോഷാരോപണം ചെയ്യണമെന്നു് എനിക്കു് ആഗ്രഹമില്ല. കുട്ടനാട്ടിലെ അവശതകളെപ്പററി പറയുവാൻ കടമപ്പെട്ടവൻ എന്ന നിലയിൽ, ഒരു കൃഷിക്കാരൻെറ നിലയിൽ, കുട്ടനാട്ടിലെ ആവശ്യങ്ങളെപ്പററി പറയുന്നതിനാണു അവിടെനിന്നും ഒരാളെ നാമിനേററു ചെയ്തിട്ടുള്ളതെന്ന നിലയിൽ, ഈ വക സംഗതികൾ ഞാൻ ഗവൺമെൻറിൻെറ ദൃഷ്ടിയിൽ കൊണ്ടുവരിക മാത്രമാണ് ചെയ്യുന്നതു്. കൃഷിഡയറക്ടർ അവർകളും ലാൻറു് റവന്യൂകമ്മീഷണർ അവർകളും കുട്ടനാട്ടു സന്ദർശിക്കണമെന്നു ഞാൻ അപേക്ഷിക്കുന്നു. ചീഫ്സെക്രട്ടറി ആ നാട്ടുകാരനാകയാൽ അദ്ദേഹത്തിന് അവിടത്തെ സ്ഥിതിഗതികൾ അറിയാം. അതുകൊണ്ടു് അദ്ദേഹം അവിടെ വരണമെന്നു ഞാൻ ആവശ്യപ്പെടുന്നില്ല. സർ, അങ്ങു് അവിടെ വന്നു ആ സ്ഥലങ്ങൾ ഒന്നു കാണേണ്ടതാണ്.

President: But when I go there there will be no caterpillars. (*Laughter.*)

Mr. Thomas Chandy Mukkadan: തെക്കൻതിരുവിതാംകൂറിൽ കഴിഞ്ഞകൊല്ലം മഴയില്ലാതെ വന്നപ്പോൾ സഹതാപചിന്തയോടുകൂടി അവിടെച്ചെന്നു സന്ദർശിച്ച് ഫലപ്രദമാർഗ്ഗങ്ങൾ നടപ്പാക്കിയ അങ്ങു് തിരുവിതാംകൂറിലെ ഏററവും പ്രധാന കർഷകകേന്ദ്രമായ കുട്ടനാട്ടിൽ

[Mr. Thomas Chandy Mukkadan.]

ഈ വിപൽഘട്ടത്തിൽ വരുന്നപക്ഷം അവിടത്തെ സ്ഥിതിഗതികൾ കണ്ടു മനസ്സിലാക്കി വേണ്ട രക്ഷാമാർഗ്ഗം ഉണ്ടാക്കി തരുന്നതിന് സാധിക്കുമെന്ന് എനിക്ക് വിശ്വാസമുള്ളതിനാൽ അവിടുന്ന് കർഷകരുടെ മദ്ധ്യത്തിലേക്ക് വരണമെന്ന് ഞാൻ വീണ്ടും അപേക്ഷിക്കുന്നു. കുട്ടനാട്ടിലെ കൃഷിക്കു പുഴുവീഴ്ചമൂലം വന്നിട്ടുള്ള ദോഷങ്ങൾക്കു തക്കതായ പരിഹാരം വരുത്തണമെന്നുള്ള അപേക്ഷയോടുകൂടി ഈ പ്രസംഗത്തെ അവസാനിപ്പിച്ചുകൊള്ളുന്നു.

Mr. N. Krishna Aiyar: Sir, I strongly support the motion. This pest has been a long—standing evil, doing considerable havoc in the Kuttanad area. This year their havoc has been very severe, and more keenly felt, on account of the heavy loss to the agriculturists caused by the unprecedented and unexpected floods during the last Vrischikam. The cultivator is put into considerable difficulties and with his shrunk credit and limited resources it is impossible for him to overcome these pests in time. During the growth of the crop, at different stages, these caterpillars appear in myriads and cause considerable ruin. It is quite true, it may not be possible to combat at once the pests which spread throughout the whole area simultaneously. It is high time, however, for the matter to receive the earnest and serious attention of the Agricultural Department and the Government and a concerted action in this direction by the Department of Agriculture and Research Departments of the University is highly necessary. The Land Revenue Department has also got a duty to fulfil in this. They must see that some remission of tax is granted to the ryots when it comes up for their consideration.

Mr. K. R. Narayana Aiyar: Sir, the honourable member Mr. Thomas Chandy Mukkadan stated that one of the chief reasons for the occurrence of the pest is the poverty of the soil. I concede that where the soil has been properly fertilised the havoc done by these pests is lessened to a considerable extent. The position that the pests live in the soil has no scientific foundation at all since the soil in this area is submerged under water during six to seven months of the year. A considerable amount of investigation has been pursued with great interest and anxiety and I can assure the honourable member that the problem lies in finding out as to what happens to the pest after its activity in the area is over. The whole period of its activity is estimated to be 20 to 25 days. After the first 20 to 25 days, the leaves of the paddy plant become sufficiently strong and the caterpillars are not able to eat them up. They

change colour, undergo 4 or 5 moultings and nobody knows about their existence after 50 or 60 days. The investigation tends to show that they migrate and live on hosts of plants elsewhere. During the wet season they sweep down on the paddy crop all of a sudden and do havoc.

Secondly, there is also a feeling among the cultivators with whom I have very often moved—that the pests come when the clouds overhang the sky. There is no doubt of a co-relation between the clouds and the pests because clouds tend to bring humidity in the atmosphere.

One fact that has been raised by the mover of the motion, a fact which is not covered by the motion is the paucity of the labourers. I can inform the members that we have already arranged to get down threshers and hay-presses for use in Kuttanad.

Mr. Kottur Kunjukrishna Pillai: May I know, Sir, who pays for them?

Mr. K. R. Narayana Aiyar: Government will pay for them.

Mr. Kottur Kunjukrishna Pillai: May I know whether Government realise the cost of it from rich agriculturists?

Mr. K. R. Narayana Aiyar: One set of appliances bought by the department will be kept for demonstration purposes and they will be available to the ryots on payment of money.

President: What Government proposes is to demonstrate and then make the people buy this if they are satisfied. It is a question of experiment.

Mr. M. K. Ananthasiva Aiyar: Sir, it appears the Land Revenue Commissioner wants to speak.

President: The honourable member Mr. Ananthasiva Aiyar will go on with his speech.

Mr. M. K. Ananthasiva Aiyar: Sir, in view of the exposition made by the Director of Agriculture, I do not press the motion.

The motion was, by leave of the House, withdrawn.

President: The House will now adjourn and meet again at 11 O'clock to-morrow morning.

The House adjourned at 4-5 P. M.

A. GUNAMONY,
Secretary to the Sri Chitra State Council.

PROCEEDINGS
of
THE TRAVANCORE SRI CHITRA STATE COUNCIL.
(OFFICIAL REPORT).
SECOND COUNCIL

Volume XV—No 2.
SIXTH SESSION—1115/1940.

Tuesday, the 17th Makaram 1115/30th January 1940.

The Council met again in the Legislative Chamber at eleven of the clock, with Sachivottama Sir C. P. Ramaswami Aiyar, K. C. I. E., LL. D., Dewan-President in the Chair.

MEMBERS SWORN.

The following members took the oath and signed the Rolls: -

1. Mr. A. Gopala Menon (*Director of Public Instruction*).
2. Dr. M. K. Gopala Pillai (*Director of Public Health*).

QUESTIONS AND ANSWERS.

Graduate teachers in the English and Malayalam schools.

17. * **Mr. K. M. Kesavan** (*Karunagapalli, Kartikapalli and Ambalapuzha* cum *Shertallai*): Will the Government be pleased to lay on the table a statement by caste of graduate teachers entertained in departmental English and Malayalam schools?

Mr. A. Gopala Menon (*Director of Public Instruction*): The statement* is placed on the table.

Mr. K. M. Kesavan: May I know why the graduates from the Ezhava community get only a small number of appointments?

Mr. A. Gopala Menon: The principle of communal representation in Government service was brought into effect only recently.

Vide Appendix I--page 81.

G. P. T. 2005. 350. 2-8-1115.

Grant-in-aid to Ayurveda Vaidyasalas.

18. ***Mr. K. M. Kesavan**: Will the Government be pleased to state by caste :

(*a*) the number of applications received for grant-in-aid to Ayurveda Vaidyasalas in 1114 ; and

(*b*) the number of Vaidyasalas to which grant-in-aid was sanctioned ?

Mr. G. Narayanan Tampi (*Secretary to Government*):

(*a*) It is too numerous to be listed. There were about 200 applications.

(*b*) Six.

Bridge at Pathiyoor.

19. ***Mr. K. M. Kesavan**: Will the Government be pleased to state whether since the last budget session of the Legislature the putting up of a bridge at Pathiyoor to the west of the temple and another at Evoor to the east of the Sri Krishnaswami temple has engaged the attention of Government?

Mr. M. S. Doraswami Aiyangar (*Chief Engineer*): An estimate has been prepared for the Pathiyoor bridge. No action has been taken in respect of the Evoor bridge.

Mr. K. M. Kesavan: It is said that an estimate has been prepared for the Pathiyoor Bridge. May I know what the estimated amount is and when the bridge will be put up ?

Mr. M. S. Doraswami Aiyangar: The previous estimate was for a bridge of 25 feet span costing about Rs. 3,300.

Mr. K. M. Kesavan: May I know the probable time during which the bridge will be completed ?

Mr. M. S. Doraswami Aiyangar: We are now considering another cheaper type of bridge known as 'rural bridge'. It is being scruitinised by the local officers. If we are able to reduce the amount, probably the construction of the bridge will be completed this year.

Mr. K. M. Kesavan: May I know why nothing has been stated about the Evoor Bridge ?

Mr. M. S. Doraswami Aiyangar: It is proposed to take up that bridge as soon as the construction of the Pathiyoor bridge is over.

Pakuthi Cutcherries

20. ***Mr. K. M. Kesavan**: Will the Government be pleased to state :

(*a*) the total number of Pakuthi Cutcherries in the State ;

(*b*) the number of rented buildings for the same ;

(c) whether it is the policy of Government to have Government buildings for Pakuthi Cutcherries;

(d) if so, how many buildings were built last year for the purpose; and

(e) how many do Government propose to build this year?

Mr. M. Ramachandra Rao (*Land Revenue and Income tax Commissioner*): (a) 410.

(b) 244.

(c) Yes; as far as possible.

(d) 1.

(e) 3.

Mr. K. M. Kesavan: Sir, it has been declared as a policy of Government to house Pakuthi Cutcherries in Government buildings. But in the answer it is stated that only one building was constructed during the last year and three are proposed to be constructed during this year. May I know from the member, in view of this slow progress, whether it will not take many more years to attain the object of Government.

Mr. M. Ramachandra Rao: Sir, there is a standard design sanctioned by Government for the Pakuthi Cutcherries, and the cost of each building will come to about Rs. 2,000. So, it will not be possible to take up many buildings in one year. The work is taken up with due regard to the amount budgeted for each year.

Mr. K. M. Kesavan: May I know whether at least five new buildings can be constructed in an year?

Mr. M Ramachandra Rao: Yes, Sir, that may be tried.

Mr. Kochikkal P. Balakrishnan Tampi (*Karunagapalli, Karthikapalli and Ambalapuzha* cum *Shertalla*): May I know the average rent for these hired buildings?

Mr. M. Ramachandra Rao: From two to four Rupees, Sir.

Mr. Kochickal P. Balakrishnan Tampi: May I know then, whether it is not more economical to have rented buildings?

Mr. M. Ramachandra Rao: May be so, Sir; but it is the policy of the Government to have their own buildings as far as possible.

Recruitment and promotion of teachers.

21. *** Mr. M. K. Ananthasiva Aiyar** (*Nominated*): Will the Government be pleased to state

(a) whether candidates with M. A. qualifications are given preference to graduates in the matter of recruitment to and promotions in the Education Department;

(b) whether candidates with M. A. qualifications are preferred to those with B. A. qualifications in the matter of recruiting them for training in the Training College, Trivandrum;

[Mr. M. K. Ananthasiva Aiyar.]

(c) have the Government fixed the minimum salary that ought to be given to teachers in private managed schools ;

(d) have they made any distinction between teachers with M. A. qualifications and teachers with B. A. qualifications, in fixing the minimum salary ;

(e) is there any rule that teachers with higher qualifications should be declared senior to those with lower qualifications when they both work in the same school ;

(f) if the answer to part (e) is in the negative, do the Government consider the desirability of making rules in regard to giving seniority to men with higher qualifications ; and

(g) are the Government aware that ordinary graduate teachers and teachers with M. A. qualifications are being treated alike in the matter of promotions, pay, etc., in private educational institutions?

Mr. A. Gopala Menon: (a) No.

(b) No, service is the criterion for selection in departmental schools. In private schools preference is given to schools where there are not sufficient number of trained teachers.

(c) Yes, for purposes of calculation for maintenance grant.

(d) No

(e) No.

(f) No.

(g) Yes.

Recruitment of teachers in private schools to public service.

22. *** Mr M. K. Ananthasiva Aiyar:** Will the Government be pleased to state :

(a) whether a teacher 35 years old and with 10 years' teaching experience is considered as a trained teacher and exempted from appearing for the training examination ;

(b) whether teachers so exempted from undergoing training course and examination are eligible for recruitment to public service in cases where trained teachers are required ;

(c) if the answer to part (b) is in the affirmative, has the Public Service Commissioner refused to consider such people as eligible ; and

(d) can the teachers who have got such exemption appear for the L. T. examination of the Travancore University without undergoing the usual course of training?

Mr. A. Gopala Menon: (a) No.

(b), (c) and (d). Do not arise in the light of the answer to (a) above.

In-patients.

23. ***Mr. M. Sultan Muhiadheen** (*Trivandrum and Nedumangad* cum *Chirayinkil*): Will the Government be pleased to state:

(*a*) the number of in-patients treated in the Grant-in-aid Ayurveda hospitals during the year 1114;

(*b*) the number of in-patients treated in the Vaidyasalas during the said period; and

(*c*) the number of in-patients treated in the Marma Vaidyasalas during the said period?

Mr. G. Narayanan Tampi: (*a*) 243.

(*b*) Nil.

(*c*) Nil.

Vaidyasastra Granthams.

24. ***Mr. M. Sultan Muhiadheen**: Will the Government be pleased to state:

(*a*) the annual expenses incurred by the Ayurveda Department in collecting *Vaidyasastra granthams*;

(*b*) whether any such *grantham* relating to *siddha vaidyam* has been collected;

(*c*) if so the name of such *grantham*;

(*d*) the date of its publication; and

(*e*) the language in which it is published?

Mr. G. Narayanan Tampi: (*a*) Nil.

(*b*) Yes.

(*c*) *Vaidyachintamani* and *Nayanavidhi Sutram.*

(*d*) These *granthams* have not yet been published.

(*e*) This does not arise in view of the answer to part (*d*).

Abolition of P. W. D. Tolls.

25. ***Mr. T. Krishna Pillai** (*Kalkulam and Vilavankod* cum *Neyyattinkara*): Will the Government be pleased to state:

(*a*) the total amount realised by Government from P. W. D. tolls during the last three years; and

(*b*) whether the Government have considered the question of the abolition of the P. W. D. tolls?

Mr. M. S. Doraswami Aiyangar: (*a*) Rs. 16,50,700.

(*b*) The question is being considered in all its aspects.

Mr. T. Krishna Pillai: May I know, Sir, with reference to part (*b*) of the answer, how long this question has been engaging the consideration of Government?

Mr. M. S. Doraswami Aiyangar: This question has been raised and discussed during a number of years, and Government are considering it,

Mr. T. Krishna Pillai: May I know whether the member is aware that resolutions have been passed by this House on former occasions?

Mr. M. S. Doraswami Aiyangar : Yes, Sir.

Mr. T. Krishna Pillai : May I know whether there are officers or any set of officers exempted from payment of tolls ?

Mr. M. S. Doraswami Aiyangar : Certain P. W. D. officers who directly deal with tolls are exempted from payment, But they make half yearly lump sum payments to Government in lieu of tolls.

Mr. T. Krishna Pillai : May I know whether the Police officers who travel on duty are exempted from payment of tolls?

Mr. M. S. Doraswami Aiyangar ; Some officers are exempted as per Notification issued by Government, while publishing the invitation for tenders.

Report of the Oodukur Special Officer.

26. ***Mr. T. Krishna Pillai :** Will the Government be pleased to state whether the 'Oodukur Special Officer' appointed by Government a few years back has submitted any report ; if so, what action has been taken thereon ?

Mr. M. Ramachandra Rao : Yes ; the Oodukur Special Officer has submitted his report. The same is under the consideration of Government.

Mr. T. Krishna Pillai : May I know Sir, when the Special Officer submitted his report ?

Mr. M. Ramachandra Rao : Some time last year.

Mr. T. Krishna Pillai : Will the honourable member be definite about the date ?

Mr. M. Ramachandra Rao : In 1114.

Buses in the Nagercoil-Trivandrum line.

27 ***Mr. T. Krishna Pillai :** Will the Government be pleased to state ;

(*a*) the number of buses plying in the Nagercoil-Trivandrum line ;

(*b*) the number of buses that were running on the above route when the Pioneer Motor Service was conducting the service ; and

(*c*) whether the travelling public are put to great hardship and inconvenience due to the paucity of buses in regular service?

Mr. K. Sankaran (*Ag Secretary to Government*) ; (*a*) 20.

(*b*) 110 buses belonging to different bus owners were permitted to run on alternate days.

(*c*) Government are not aware of any such hardship.

Mr. T. Krishna Pillai : May I know Sir, whether the traffic has increased after the State Transport Buses began to ply ?

Mr. K. Sankaran : There is not any appreciable increase.

Mr. T. Krishna Pillai : Sir, with reference to answer to

part (*b*) am I to take it that only 55 buses are permitted to ply daily on the route?

Mr. K. Sankaran: 110 buses were given permit to conduct services in the route. But certain time-limit was prescribed. It was not obligatory on the part of the owners to run all the 110 buses.

Mr. T. Krishna Pillai: May I know the number of buses that actually ply on the road?

Mr. K. Sankaran: The figure has not been ascertained. It varies from day to day.

Mr. T. Krishna Pillai: May I know whether it cannot be ascertained from the checking registers kept by the Police officers?

Mr. K. Sankaran: Registers are kept by them but the required figures have not been collected.

Mr. T. Krishna Pillai: In answer to part (*a*) of the question it is stated that 20 buses alone ply on the route. May I know whether that is sufficient to cope with the requirements of the travelling public and whether more private buses will be allowed to ply on the route?

President: That is one of the reasons for starting the Transport Service. A number of unnecessary buses running on the road ruin themselves by competition. One of the main reasons why the State Transport system was started is this.

Mr. James Fletcher (*Kalkulam and Vilavankod* cum *Neyyattinkara*): With reference to part (*c*) of the question may I know whether any enquiry was made regarding the hardship?

Mr. K. Sankaran: Government did not receive any representation that there was hardship and so no enquiry was made.

Mr. James Fletcher: Even after this question was sent to Government may I know whether they made any enquiry into the matter?

Mr. K. Sankaran: Sir, no representation was made and Government thought that there was no hardship.

Mr. Kottur Kunjukrishna Pillai: (*Quilon* cum *Kunnathur*); May I know whether Government will make enquiries only on representations directly made to them?

Mr. K. Sankaran: The department feels that there is no such hardship existing.

Mr. Kottoor Kunjukrishna Pillai: Are the Government aware that there have been complaints in the Press regarding the paucity of buses causing difficulties to the travelling public?

Mr. K. Sankaran: For every 20 minutes a bus is startting from Trivandrum to Nagercoil and *vice versa* and as such there is no cause for any hardship.

Mr. Kottoor Kunjukrishna Pillai: My question was, whether Government are aware that there have been complaints ventilated through the Press?

Mr. K. Sankaran: I am not at present aware of that, Sir. I claim notice.

Crude Oil Buses.

28. ***Mr. T. Krishna Pillai**: Will the Government be pleased to state:

(*a*) the total number of crude oil buses purchased by Government for the State Transport Service till date 1-10-1938; and

(*b*) the number of crude oil buses in regular service at present?

Mr. K. Sankaran: (*a*) & (*b*) No crude oil buses were purchased; but seventy-one buses operating on High Speed Diesel oil were purchased. Of these, forty buses are now in regular service.

Mr. T. Krishna Pillai: May I know Sir, what has happened to the 31 buses which are not plying now?

Mr. K. Sankaran: They are not put in service owing to the absence of some spare parts. At present there is difficulty of getting these spare parts on account of war conditions in Europe.

Mr. T. Krishna Pillai: Am I to take it that these buses would remain out of service for ever?

Mr. K. Sankaran: Attempts are being made in the . W. D. Workshops to manufacture some of these parts.

Mr. T. Krishna Pillai: May I know whether there is any idea of having petrol driven engines instead of crude oil engines?

Mr. K. Sankaran: Experiments are being conducted to run these buses with charcoal gas.

Mr. V. Sankara Menon (*Trivandrum and Nedumangad cum Chirayinkil*): May I know whether these 31 buses which are kept idle will not become useless in course of time?

Mr. K. Sankaran: Government are attempting to make them serviceable as far as possible.

Vacancies in Primary Schools.

29. ***Mr. E. K. Kuriyppe** (*Parur, Kunnatnad and Muvattupuzha cum Devicolam*): Will the Government be pleased to state:

(*a*) whether there are several primary schools where two or three long leave vacancies exist without substitutes being appointed in them, and the reason why substitutes are not being appointed in vacancies consequent on the grant of leave to teachers for one or two months; and

(*b*) whether consequent on such places being left vacant two classes have to be combined and taught by a single teacher ?

Mr. A. Gopala Menon : (*a*) No information is available.

(*b*) Does not arise in view of answer to part (*a*).

Mr. E. K. Kuriyppe : മൂവാററുപുഴ താലൂക്കിൽ പല സ്ഥലത്തും അദ്ധ്യാപകന്മാരില്ലാതിരിക്കെ അതിനെപ്പററി അറിവില്ലെന്നു പറയുന്നതു് എന്തുകൊണ്ടാണ് ?

Mr. A. Gopala Menon : ഒന്നും രണ്ടും മാസത്തെ ഒഴിവുകളെപ്പററി ഡയറക്ററരുടെ ആഫീസിൽ റിപ്പോർട്ടു ചെയ്യുക പതിവില്ല. അവിടെയുള്ള ഉദ്യോഗസ്ഥന്മാർതന്നെ അതിലേക്കുള്ള നിയമനം നടത്താവുന്നതാണ്.

Grant to Parimattam Desabhivardhini school.

30. ***Mr. E. K. Kuriyppe** : Will the Government be pleased to state :

(*a*) whether grant is given for the Parimattam Desabhivardhini school for all the classes ;

(*b*) whether those in charge of the management of the school have complained of the non-receipt of the grant ; and

(*c*) if so, the action taken on the matter ?

Mr. A. Gopala Menon : (*a*) No ; only class I is in receipt of aid.

(*b*) Yes.

(*c*) The manager was informed that the question of sanctioning aid to the unaided classes would be considered when funds were available.

Appendix.

Vide Answer to Question No. 17.

Statement, by caste, of graduate teachers entertained in Departmental English and Malayalam schools.

Brahmins	...	130
Nayar	...	65
Other Hindu	...	13
Kammala	...	1
Nadar	...	1
Ezhava	...	8
Muslim	...	4
Jacobite	...	24
Marthomite	...	25
Latin Catholic	...	6
S. I. U. C.	...	17
Other Christian	...	27
		321

ADJOURNMENT MOTION.

President: I have received notice of an adjournment motion from Mr. T. Krishna Pillai to discuss a definite matter of urgent public importance, *viz.*,

> "the serious situation that has been created in South Travancore due to the sudden fall in the number of State Transport Buses plying in the Trivandrum-Nagercoil route."

This is not a matter of urgent public importance as has been demonstrated by a series of interpellations and their answers on the floor of the House a few moments ago. Therefore, I rule it out of order.

LEGISLATIVE BUSINESS.

The Travancore Rubber Control Bill.

Mr. Puthupally S. Krishna Pillai (*Legal Remembrancer to Government*): Sir, I move that the Travancore Rubber Control Bill as passed by the Sri Mulam Assembly be taken into consideration.

Sir, I may be permitted to explain briefly the principles contained in this Bill. The existing Rubber Control Act II of 1112 was found inadequate from various points of view. The export and import of rubber is at present controlled by notifications published under Section 18 of the Sea Customs Act. Experience has shown that the provisions of the Sea Customs Act are inadequate to meet the special necessities arising from transactions relating to rubber. It is also found that the existing Act does not declare the right of every estate owner to have a quota in the general allotment of rubber quota. The defect has led to some litigation. Therefore, it was found that a specific provision like that which is contained in the Indian Rubber Control Act has to be made in our Act also. It was also found that in view of the international agreement regarding alloment of new-planting rights the provisions of the existing act require modification. The Indian Rubber Control Act was also amended for this purpose. At present the Committee's actions are being questioned in the Civil Court. Government have felt that it was necessary to free the Committee altogether from litigation in our courts. But at the same time Government have found it necessary to exercise some sort of control over the actions of the Committee. Therefore, provisions have been made to the effect that appeal shall lie to Government against certain orders passed by the Committee. These are the main objects of the Bill. The Bill was published sometime back and it was being subjected to close and searching scrutiny by the Select Committee of the other Chamber. The Controller of the Indian Rubber Licensing Committee was also invited to take part in the deliberations and with

[Mr. Puthupalli S. Krishna Pillai.]

his help all these provisions were fully discussed, and slight alterations made. The Bill was passed by the Assembly without further amendments. It will be noticed by the honourable members that this is a Bill which is quite essential for the well-being of the rubber planting industry in the State.

Dr. M. K. Gopala Pillai: I second it.

President: The question before the House is that the Travancore Rubber Control Bill be considered.

The motion was put and carried.

The Bill was taken into consideration.

The question whether clauses 1 to 30 stand part of the Bill was put to the vote of the House and carried.

Accordingly clauses 1 to 30 were added to the Bill.

The question whether the Preamble and Title do stand part of the Bill was next put to the vote of the House and carried.

The Preamble and Title were added to the Bill.

Mr. Puthupally S. Krishna Pillai: Sir, I move that the Rubber Control Bill be passed.

Dr. M K. Gopala Pillai: I second it.

The question whether the Bill be passed was next put to vote and carried.

The Bill was passed.

THE TRAVANCORE BANKERS' BOOKS EVIDENCE BILL.

Mr. Puthupally S. Krishna Pillai Sir, I move that the Travancore Bankers' Books Evidence Bill as passed by the Sri Mulam Assembly be taken into consideration.

Sir, it is a small Bill consisting of only 7 sections. It corresponds to the British Indian Bankers' Books Evidence Act.

Honourable members might remember that there is no Evidence Act in force in the State. Still the rule of law is well laid down that secondary evidence of a debt is admissible only under certain circumstances. This necessitates the production of the original books of accounts kept by banks where such evidence is relevant. These are books which are maintained for the use and benefit of the publicand it is not in public interest that such books should be made to be kept in courts till the case is disposed of. This Bill enables filing of certified copies in cases where the original itself has to be filed at present. At the same time power is rseerved with the court to call for the original.

Mr. G. Narayana Aiyar: What about the Evidence Act?

Mr. Puthupally S. Krishna Pillai: There is a law relating to evidence in force in our State. Our courts are administering the law relating to evidence.

Dr. M. K. Gopala Pillai: I second the motion.

The question that the Travancore Bankers' Books Evidence Bill as passed by the Sri Mulam Assembly be taken into consideration was put and carried.

The Bill was taken into consideration.

President: The question is whether clauses 1 to 7 stand part of the Bill.

The question was voted and clauses 1 to 7 were added to the Bill.

The question whether the Preamble and Title do stand part of the Bill was next put to vote and carried.

The Preamble and Title were added to the Bill.

Mr. Puthupally S. Krishna Pillai: Sir, I move that the Travancore Bankers' Books Evidence Bill be passed.

Dr. M. K. Gopala Pillai: I second it.

The motion that the Travancore Bankers' Books Evidence Bill be passed was put and carried.

The Bill was passed.

THE TRAVANCORE REFORMATORY SCHOOLS ACT (AMENDMENT) BILL.

Mr. Puthupally S. Krishna Pillai: Sir, I move that the Travancore Reformatory Schools Act (Amendment) Bill as passed by the Sri Mulam Assembly be taken into consideration.

This is only for the purpose of amending the existing Reformatory Schools Act with the object of conferring power on Government to frame rules for the purpose stated therein. At present, the young convicts of the Reformatory School are not allowed to leave the premises on short leave or short vacation. The rule elsewhere is different, that is, in British India and other places. There, the principle is that they ought not to be treated as mere convicts, but should only be put under some restraint and should be enabled to live a better life. It was suggested that the inmates of the school should be given freedom to avail themselves of occasional leave from the Reformatory School under the control either of the parents who are willing to guarantee their good behaviour or under the supervision and control of officers of Government who will be nominated for that purpose. This Bill is merely to enable Government to frame rules for the purpose.

Dr. M. K. Gopala Pillai : I second it.

The question that the Bill be taken into consideration was put to vote and carried. The Bill was taken into consideration.

The question that clauses 1 and 2 stand part of the Bill was put to vote and carried.

Clauses 1 and 2 were added to the Bill.

The question that the Preamble and the Title stand part of the Bill was put and carried.

The Preamble and the Title were added to the Bill.

Mr. Puthupally S. Krishna Pillai: Sir, I move that the Travancore Reformatory Schools Act (Amendment) Bill be passed.

The motion was accepted by the House and the Bill was passed.

THE TRAVANCORE CENSUS BILL.

Mr. Puthupally S. Krishna Pillai: Sir, I move that the Travancore Census Bill as passed by the Sri Mulam Assembly be taken into consideration.

Sir, it corresponds to the last Census Act which was in force when the last Census was taken. A new census is proposed to be taken in 1941. Certain preliminary steps have been taken and a Commissioner has been appointed. It is necessary that he should be armed with the requisite powers for proceeding vigorously with the work. The only difference between this Bill and the previous Act is in respect of the penalty that is provided for in this. Whereas an offence committed under the provisions of the previous Act was liable to be punished with a fine of Rs. 50, a penalty of Rs. 200 is proposed under the present Act and slight verbal alterations have been made here and there for bringing out the purpose and intention of the law clearly. I move that the Bill be taken into consideration.

Mr. G. Narayana Aiyar: Sir, will this Act be useful for future Census also?

Mr. Puthupally S. Krishna Pillai: Sir, the question whether we cannot have a permanent Statute for all Census to come has been raised. It has been found that Census is only a temporary matter. Census was being taken every ten years. There is no statutory obligation that a Census shall be taken every ten years. It may be taken in fifteen years or even much earlier than that.

Then again, each Census appears to be more comprehensive than the previous one and every time that we undertake this work some new feature not so obvious before has to be dealt with. It has been found, for example, now that we require a greater penalty because people do not seem to take seriously the queries of the Census investigators and supply false information to the Census officers. Throughout British India the penalty has been increased. Honourable members might know that in Mysore the penalty is Rs. 500 although in British India it is only Rs. 200. I think that it will be more convenient to pass a Census Act before each Census. There is no permanent Census Act in any State so far as I know. In England this is being done by an Order-in-Council.

President: The tendency is to have a permanent organisation for statistics. That has been done in some countries.

Mr. Puthupally S. Krishna Pillai: Yes, Sir, but this is slightly different.

Dr. M. K. Gopala Pillai: I second it.

The motion that the Bill be taken into consideration was put to vote and carried. The Bill was taken into consideration.

The motion that Clauses 1 to 14 stand part of the Bill was put and carried. The clauses were added to the Bill.

The motion that the Preamble and the Title stand part of the Bill was next put and carried.

The Preamble and the Title were added to the Bill.

Mr. Puthupally S. Krishna Pillai: Sir, I move that the Travancore Census Bill be passed.

The motion was put and carried.

The Bill was passed.

President: There are two matters which I wish to bring to the notice of the honourable House. The first is, does the honourable member who has given notice of the adjournment motion wish to take it up now instead of waiting till 3·30? The next point is with regard to the non-official day. It is for the House to decide whether it will have the non-official business to-morrow or the day after.

Mr. M. K. Ananthasiva Aiyar: I think it will be better to have it to-morrow.

Mr. V. Sankara Menon: Yes, Sir, I too agree.

President: The non-official business will be taken up to-morrow.

ADJOURNMENT MOTION.

Mr. Kottur Kunjukrishna Pillai: Sir,—

Mr. T. Krishna Pillai: Sir, on a point of order. The business of the House is now over. We are now taking up the adjournment motion which says 'the business of the House be now adjourned' etc.

President: Technically, I think it is correct.

Mr. Kottur Kunjukrishna Pillai: But practically the motion will be that the House do now adjourn.

President: In the usual Parliamentary procedure, there is no differerce made between the various motions for adjournment of debate. All debates on matters of importance in Parliament are generally initiated by motions for adjournment for the day or for a recess. Every day the House meets at 2·45 and by law the sitting goes on till 11 o' clock and if they want to have a discussion on an important matter, a private member or minister moves for adjournment, asking that 'the House do now adjourn' and thereupon they discuss any topical question. All foreign debates are generally on motions of adjournment.

Mr. Kottur Kunjukrishna Pillai: Sir, I beg leave to move the adjournment of the business of the House to discuss a definite matter of urgent public importance, *viz.*, the serious situation created by rat falls in the town of Quilon.

Sir, I am sure that the House is aware of the serious situation that has arisen in Quilon.

President: I am glad to inform the honourable member that according to the latest information there have been no rat falls yesterday.

Mr. Kottur Kunjukrishna Pillai: I ventured to bring forward this adjournment motion specifically on the ground that there is some idea in the minds of some people that because the rat falls are decreasing, the stringent measures that ought to be continued to prevent rat falls may be relaxed. The ill-informed public opinion also thinks and often expresses their chagrine at the enforcement of the rather irksome control measures. It is to point out to the public that this is a matter which cannot be left like that and to bring to the attention of the Government that the strenuous endeavours that they are now making should be continued for a sufficiently long time to eradicate completely the danger that the motion has been brought in. Sir, I find that our people, not accustomed to the dangers of this fell disease are not prone to take it very seriously and they are not able to understand the serious consequences arising out of negligence in this matter. We have

not heard of plague anywhere in Travancore till recently ; but it made its appearance first in Alleppey in 1112 and we find its recurrence again after three years in 1115 in Alleppey. Quilon, which was thought to be one of the healthiest towns of the State, has also come in for the attack. Such an important industrial and commercial centre as Quilon, if it is affected by this epidemic, will lose its trade and commerce considerably. More than that, it will be a souree of danger to the capital of the State which is nearer to Quilon than Alleppey. Rat falls began this year in Quilon between the 15th and 28th of Dhanu as reported by the authorities. But, my personal enquiries in Quilon led to the knowledge that, as a matter of fact, there were rat falls even before that which was either intentionally or unconsciously not brought to the notice of the Government. Some people who came to do their business in the town of Quilon, it seems, got infected and died when they returned to the mofussil and these were not brought to the notice of the authorities. It was said that they died because of the malefic influence of some ghost. At last there was some suspicion regarding a few cases, which was brought to the hospital authorities and on their advice a further scrutiny into these matters was made. One rat was examined and positive signs of plague were observed in it.

I take this opportunity publicly to acknowledge with gratitude the very sincere and strenuous efforts made by the District Magistrate of Quilon and the Director of Public Health who came to the spot and energetically prosecuted the necessary preventive measures and also the Quilon Municipality and the staff that gave able assistance to the preventive work. If plague has not spread and if rat-falls today are less in Quilon, it is due to the combined and co-operative activities of all these departments and the prompt measures taken by them. My only intention in moving this motion is to bring to the attention of Government that the efforts now made by the various departments as well as Government should not slacken so soon as the rat-falls have either ceased or diminished. On the other hand, the special staff that has been recommended as a result of the conference of the Municipal authorities and others ought to be sanctioned and there should be no niggardliness with regard to it. It is not enough to keep quiet as soon as we see that the rat falls cease for the moment. We have to continue the watch over this for at least three years. If you are to be sure that this disease has been absolutely eradicated, you must continuously watch over it for a long period. It will be penny-wise-and-pound-foolish policy if we stop all endeavour so soon as we find the diminution of rat-fall and do not continue the preventive measures any longer. One of the reasons for the outbreak of plague in Alleppey, I am told, is

[Mr. Kottur Kunjukrishna Pillai.]

because of the Government having stopped all the measures taken on a former occasion when it broke out in 1112 so soon as it subsided. It is on account of the apprehension that there should not be any such thing happening in regard to Quilon that I brought forward this motion for the acceptance of the House.

Sometimes plague breaks out as soon as the rains commence. Therefore they say that we have to keep a vigorous watch till the rains begin to fall. We have to take stringent measures specially with regard to certain go-downs which I understand are the source of the infection and which have been responsible for the breaking out of the disease. I think Sir, that it is not necessary for me to labour the point very much because the House will realise the seriousness of the situation and the absolute necessity of seeing that everything possible is done not merely now but continuously so that it will be possible for us to have a cent per cent safety from this fell disease. With these words I commend the motion for the acceptance of the House.

Mr. V. Sankara Menon: What does the member mean by saying that the measures should be continued for three years more? Does the member suggest that relaxation should not be made for a further period of three years?

Mr. Kottur Kunjukrishna Pillai: What I meant was that the efforts made by Government should be such as to prevent the recurrence of the plague at all possible costs. If it is necessary to continue the efforts for three years, then that has to be done for that period. If it is necessary to continue the efforts for ten years, then they must be continued for that period. The meaning of what I said is that strenuous efforts must be continued till the danger of recurrence of plague is completely eradicated.

Mr. Kochikal P. Balakrishnan Tampi (*Karunagapalli, Kartikapally and Ambalapuzha* cum *Shertallai*): I second the motion and in doing so I wish to congratulate my honourable friend on his commendable sense of public duty which prompted him to draw the attention of this House to this important problem. At the same time I wish to point out that neither the Government nor the honourable members of this House would be doing a real service to the trade and commerce of this country by making this a huge issue and advertising that there is plague in this part of India. I know that many foreign ports have declared Alleppey and Quilon as plague infected area. Of course it is quite another thing to point out to the authorities that Quilon and Alleppey should be protected against plague infection. The foreign ports have stated that—

Mr. Kottur Kunjukrishna Pillai: May I know whether the member would suggest the suppression of these facts for the advancement of commerce and industry ?

Mr. Kochikal P. Balakrishnan Tampi: That needs no answer.

I need only say that we should take all precautions in good time and there are occasions when the non-officials have to be as much politic as the Government are sometimes. It is very good to draw the attention of the Government to remedy the evils. But at the same time we have to see that such things are not given unnecessary publicity. The fact is that there is no great danger of plague in this country, thanks to the efforts of the Public Health Department and also the different municipalties.

It is also most miraculous and providential that plague did not spread further, because of the adoption of killing the rats in the old way and getting rid of the rodent enemies either by getting them into cages or otherwise. In Alleppey, it had a wonderful effect. I have only to say that our finances did not allow for going in for more modern contrivances such as rat-proof go-downs or rat-proof houses and all the list of requirements given out by public health pandits, to effectively stop the possibility of plague In a way, we are particularly lucky in so far as plague showed signs of subsiding in Alleppey. As my honourable friend Mr. Kottur pointed out, owing to one of those not-very-wise steps of the Government of effecting economy, they retrenched the staff and allowed the rodents with a vengeance on Dr. Gopala Pillai, to multiply in larger numbers.

Dr. M. K. Gopala Pillai: It is not the Government's fault. As a result of repeated representations from the municipality there, the preventive work at Alleppey had to be stopped.

Mr. Kochikal P. Balakrishnan Tampi: Whatever it may be, the eventual responsibility lies with the Government in that matter.

I would also in this connection suggest that we on this side of the country should not be troubled by these rodents and in good time the Public Health Department may take good steps in consultation with the local municipality to guard public health against this fell disease.

President: I think the best plan would be for Dr. Gopala Pillai to explain exactly what the position is. Then in the light of those facts the other honourable members might speak. I will now ask Dr. Gopala Pillai to place the full facts in connection with the motion before the House.

Dr. M. K. Gopala Pillai: Sir, I should thank the honourable member who moved the adjournment motion for enabling me to bring to the notice of this House and the Government the various anti-plague measures that have been launched forth by the Public Health Department. Before proceeding further I have to state that the sin is not that of Travancore. Plague was transmitted to us by the merchants of Mattancherri. Mr. Bristow, Administrative Officer and Harbour Engineer-in-Chief, who obviously could not bear any malice towards the Cochin merchants, says that plague has been endemic in Mattancherri for the past 50 years. Mr. Bristow in his note says that the Port Health Officer of British Cochin who too could not have any malice towards the Cochin merchants has given him a history of plague at Mattancherri. There is an article by Mr. Bristow in the "Madras Mail" dated 20th January 1938.

He observes:—

> "For the past 50 years there have been four epidemics and for the past ten years three according to the Health Officer of British Cochin".

Mr. Kochikal P. Balakrishnan Tampi: Is the member in order in reading out from a newspaper article?

President: The information that is supplied by Mr. Bristow who is the Administrative Officer and Harbour Engineer-in-Chief of Cochin is a very important one. The suggestion made by the Director of Public Health is also equally important because only yesterday the Cochin newspaper enjoying the patronage of Government stated that there is no plague in Cochin and that there has been a kind of deliberate attack on the part of the head of the administration to suggest that there is plague there. The suggestion made by the Director of Public Health in Cochin that plague in Mattancherri had been endemic for the past 50 years and it has been an epidemic very often during the last ten years are important points. Therefore the allegation that has unfortunately been given wide currency, *viz.*, that cyano-gassing in Alleppey is resorted to because there is plague in Travancore, and that the rice coming from Cochin is not actually cyano-gassed in Alleppey, is a very serious allegation. It is only to enlighten the House about this matter that the Director of Public Health has referred to the observations of the Director of Public Health, Cochin.

Dr. M. K. Gopala Pillai: Sir, I may be permitted to quote a few extracts from the note on Public Health Organisation in Cochin, by the Public Health Commissioner with the Government of India. This is important because there is a misconception

about the various anti-plague measures that have been introduced by the Travancore Government.

> "Travancore State territory at no point touches the port area, but the Government of Travancore are intimately concerned with its trade and health conditions, since 90 per cent. of all the imported grain eventually passes into Travancore territory."

Sir, this actually means that we are getting not only 90 per cent. of the rice, but also cent per cent of the plague infection from Cochin. I read this because this is a special report by the Public Health Commissioner with the Government of India. Again he says :—

> "The repeated appearance of plague in Mattancherri, however, is a serious matter to this new port, if, as the Administrative Officer says, it is desired to preserve her ancient role of rice depot. There is no doubt that it would suffer gravely if the rice trade were to drift elsewhere because of the failure to take adequate steps to stamp out this infection."

To us it is not only a rice depot but also a plague depot. We have been getting plague from Mattancherri for the last few years. Till now the infection was only in Alleppey and now it has begun to appear even in Quilon. When this is the state of affairs how can the Government relax any plague control measures? He says that the action taken by the Travancore Government is perfectly justified. Incidentally he again observes :—

> "The Director of Public Health, Travancore, who was present at the conference, stated that friction was caused because of the Travancore Government's action in continuing fumigations of grain for a period of three months after the port was declared free from plague. Article 6 of the International Sanitary Convention would seem to justify this precaution and recent events would also support the Travancore Government's decision. ....The appearance of plague in different parts of Travancore has compelled the Public Health authorities of that State to take stringent measures and, in the circumstances, this seems to be reasonable."

In the face of these statements and impressions of an eminent Public Health Officer intimately connected with the Government of India and who is also a Sanitary authority, how can any Government who owe a duty to their subjects relax any control measures ?

He also says :

> "The important question to be decided is whether or not the development of the Port and the public health of the two Indian States and a British Indian province are to be subordinated to vested private interests. In my view, there is no doubt how that question should be answered."

Sir, Dr. A. J. H. Russel again remarks that the measures that were being taken in Cochin, were not effective at all and he was dissatisfied with the insanitary and unsatisfactory condition of Mattancherri.

Mr. Kochikal P. Balakrishnan Tampi: May I ask whether the Port Trust authorities at Cochin moved in the matter

Dr. M. K. Gopala Pillai: Yes, Sir. Their suggestions were not of any value because they were not carried out in good time. This is what Dr. Russell says:

> "From what I was told I believe that during the recent plague outbreak, deliberate concealment of plague cases and deaths occurred."

President. This is what the report says:

> "During my visit I attended a conference of the Dewan of Cochin, Municipal Chairman, Mattancherri, Municipal Chairman, Ernakulam, Civil Surgeon, Ernakulam, Civil Surgeon, British Cochin, Health Officer, Mattancherri, Director of Public Health, Cochin, Director of Public Health, Travancore, Director of Public Health, Madras, District Health Officer, Malabar. The Dewan of Cochin presided. From what I was told I believe that during the recent plague outbreak deliberate concealment of plague cases and deaths occurred. Only five plague deaths were recorded during that outbreak, an impossibly small number when there was in existence such a high incidence of plague amongst the rats."

Dr. M. K. Gopala Pillai: We suspended certain arrangements at Arukutty on the understanding that Cochin Government would do cyanide work more effectively. In fact *vallams* laden with rice bags require fumigation at least for three hours. But they have been doing it only for ten or fifteen minutes and the greater the number of boats the shorter was the duration of the cyano-gassing. That might have been one of the reasons why plague again broke out in Alleppey. After investigation, it was seen that rat-fall occurred in go-downs where rice bags obtained directly from Mattancherri were stored. In Quilon also the same thing happened. I inspected certain go-downs outside the affected area and also go-downs where a number of rice-bags have been stored. There were no rat-falls anywhere outside the affected area. Such being the case it is not at all charitable on the part of any authority, or, for that matter, on the part of even newspaper correspondents, to attribute motives for the effective measures taken by any controlling authorities. In Travancore, there are about 60 lakhs of people which is nearly four or five times the population of Cochin. We import 90 per cent of rice, i. e. about 95 to 99 per cent of plague infection. Because the destinations of imported rice into Travancore are numerous, we disseminate infection in so many parts of Travancore. Some towns in North and Central Travancore *viz.*, Kottayam, Changanacherry, Kayencolam, Quilon and a few other stations deal direct trade with Cochin. A rat-flea survey conducted a few years ago revealed the fact that Cheopis is very common in these places and in shops that store rice from Mattancherri you will find

that the rate of flea incidence will be very high. Formerly the rate stood at ·04. But recently it was found as high as .6. This is indeed very high, Such conditions prevail in almost all the places that directly deal in rice trade with Mattancherri. We are faced with the danger of importing plague and spreading it to all parts of Travancore, unless Government take adequate and rigorous measures immediately. I had in my own mind cherished the desire of requesting Government for diverting rice trade from Mattancherri to Quilon or some other port because, as long as Mattancherri continues to exist in its present unsatisfactory condition and also imports plague into Travancore, rice should not be got down from Mattancherri. The Public Health Commissioner, Dr. Russel, has foreseen this danger that is likely to befall Travancore. He has repeatedly emphasised how Travancore Government and also the British Government should take due precautions against the importation of plague. In spite of repeated requests, it has not been found to be a practical proposition to take effective preventive measures in Mattancherri. The merchants in Mattancherri belong to various places outside Cochin. They have no local interest or any interest in regard to the health or other conditions of the people of Cochin or Travancore ; much less for the health of the people of Travancore than for the health of the people of Cochin. That they do not mind about the health of these two big States can be seen from the fact that plague was imported a few years back into Kunnencolam where there were eleven attacks and ten deaths. So infection is showing a tendency of spreading in places extending from Kunnencolam to Quilon. With the foci of infection thus distributed it is very easy in these places for plague to spread out in an epidemic form at any time. The chances are greater for the spread of this disease, because soon after the rat-fall in a particular place the authorities concerned are not notified about the occurrence. If notified early, we can easily institute control measures. But the difficulty, as Sir Russel pointed out, is because of the concealment of cases. We come to know of the occurrence of a rat-fall or the case of a death only after it has grown up in the form of an epidemic. If effective measures are taken soon after the first rat-fall, then it is easy for control. All these factors put together form a very grave menace that Travancore has to face in future.

Mr. Kochikal P. Balakrishnan Tampi: In view of the fact that Cochin is anxious to conceal death, may I know what ratio does the ten or eleven deaths reported bear to the actual number of deaths ? Can the Director of Public Health make any guess on that point ?

Dr. M. K. Gopala Pillai: We cannot make any guess in regard to deaths that are taking place outside this State.

[Dr. M. K. Gopala Pillai.]

Conditions existing at present do not permit the authorities in Travancore to make any relaxation in the control measures in any of the Observation Stations in the Travancore State. The honourable mover of the resolution said that stringent measures should not be relaxed. It is the idea of Government to continue stringent measures as long as they apprehend rat-falls. Soon after the report of rat-falls, effective control measures were adopted in Quilon. A special Plague Officer with powers of a Division Peishkar, was appointed to control the plague outbreak there. The Director of Public Health and the District Health Officer camped at Quilon and took effective control measures immediately. The District Health Officer halted there for nearly two weeks. The chief control measures instituted in Quilon are trapping of rats, inoculation of people in the affected localities, disinfection of shops in the neighbourhood of places where rat-falls occurred and cyanogas fumigation of grains. These are the most effective methods for controlling plague, and these measures were instituted immediately.

Sahib Bahadur Abdul Tayeb Shaikh Kaderbhoy (*Commerce and Industry South*): May I know whether he is aware that in Quilon inoculation is carried on on several persons with the same needle without sterilizing it? Is it advisable to do like that?

Dr. M K. Gopala Pillai: The needle is sterilized immediately after each inoculation.

Sahib Bahadur Abdul Tayeb Shaikh Kaderboy: There are only one or two doctors in Quilon going about from one place to another, and they do not sterilize the needles.

Dr. M. K. Gopala Pillai: I very much doubt whether that could have occurred.

Sahib Bahadur Abdul Tayeb Shaikh Kaderbhoy: I have received very many complaints on the matter.

President: It is a statement difficult to understand; because if a doctor actually inoculates one man and without sterilizing the needle inoculates another, he is liable to be punished. I trust that the honorable member will see whether there is any foundation in that statement.

Dr. M. K. Gopala Pillai: It could not have occurred. It is due to aversion for inoculation that such complaints arise. I also have received some such complaints. In Quilon about 2000 people including children who frequent the affected localities, have been inoculated. Till now there has been only one death reported in Quilon. An intensive propaganda with the help of public health cinema was carried out literally in every nook and corner of Quilon,

I am glad to inform the mover of the resolution that there has been no rat-fall yesterday or the day before. This department has acted very promptly. I am very thankful to the member for the tribute of appreciation that he has paid to the Public Health Department for the control measures taken in Quilon. These measures will be continued for some time.

I have to answer certain other questions. Eradication of plague from Quilon, I doubt, is not possible as long as rat-falls continue in Mattancherri.

With regard to the stopping of plague work in Alleppey, I may inform the House that it was as a result of repeated representations from members of the municipality or citizens of the locality that Government were forced to stop work there. A member was boasting recently that he was responsible for stopping the work at Alleppey.

Mr. Kochikal P. Balakrishnan Tampi: Is the nearness of Alleppey to Mattancherri in any way responsible for that state of affairs?

Dr. M. K. Gopala Pillai: The mover of the motion suggested that measures will have to be continued till the onset of rains. But the onset of rains is the best season suited for the spread of plague. The early showers in April and May help the advent of plague. The non-epidemic period is between February and March. I assure the mover of the resolution that all preventive measures will be effectively carried out in Quilon and there is no need for any apprehension as to the possibility of the spread of plague in Quilon.

Mr. K. K. Kuruvilla (*Mavelikara and Tiruvalla cum Pattanamthitta*): I also support the motion that stringent measures should be taken to eradicate this nuisance throughout the State. But while stringent measures are being adopted, men who want to take their goods from Cochin and Mattancherri should not be vexed in their ordinary business. I understand that there is great deal of delay for merchants in Travancore to take their goods from Cochin. If that is true, I believe it is a great hardship. I have heard from several merchants in Kottayam that they have been stopped in several places for a very long time and that some of the subordinates of the department have not always been polite. It may not be possible for us to expect that the subordinates of the department shall be always polite. But I hope that those who are responsible for controlling these measures should look into this matter and make all possible arrangements so that it may be possible for merchants to carry their goods to Travancore with the least possible delay and inconvenience. I read in the newspapers that in another place, you, Sir, made some announcemenst

[Mr. K. K. Kuruvilla]
about the taking of goods from Cochin to Travancore. I have not been able to get any clear idea about it from the newspapers.

There is another point which has frightened me and that is with regard to the diversion of trade, especially rice, from Cochin to Quilon even when conditions are normal. I understand that there is a difference of 4 to 6 annas per bag of rice between the price in Cochin and Quilon.

President : That matter is not really within the scope of the adjournment motion.

Mr. K. K. Kuruvilla : If rice trade is to be diverted from Cochin to Quilon which will mean the additional payment of 6 annas per bag, that will be a very great hardship to so many merchants.

President : Before this debate closes, I think, in view of certain deliberately fomented agitation, it is necessary that the position of Government in this matter should be elucidated. I am glad that reference has been made to the authoritative publication of the Public Health Commissioner of the Government of India. That document was prepared as a result of that officer's visit to Cochin. The status of the Public Health Commissioner of the Government of India, Col. Russell, in regard to public health matters, is not only of national importance but has been internationally recognised by bodies like the Singapore Epidemiological Bureau. I also happen to know what position Col. Russell holds in international bodies on matters of public health.

Now, let it be clearly understood that Travancore is vitally and fundamentally interested in the prosperity of the Cochin Harbour. Our income is to no small extent derived from the customs receipts of the Cochin Harbour. Under the arrangement that exists between the British Government, the Travancore Government and the Cochin Government, normally speaking, we get every year between Rs. 18 lakhs and Rs. 22 lakhs as our share of the Cochin Harbour revenues. It is therefore in the highest degree unlikely that the Travancore Government would cut off its nose to spite its face ; and it is equally unlikely and impossible to conceive that the Travancore Government would, in a fit of malice or pique, mention plague where really it does not exist. This is what has actually appeared in a newspaper—

> "We do not know whether even the plague bacilli bear malice towards Sir. C. P. No one has complained except the Travancore Government of plague in Cochin."

It is not a question of the plague bacilli bearing any malice towards Sir C. P. The Government of Travancore are very keen indeed that the prosperity of Cochin should be maintained and enhanced if for no other reason than that they want their revenue also to be maintained and enhanced ; and it would be with the utmost

reluctance that any step would be taken or countenanced by the Travancore Government which would result in the shrinkage of trade in Cochin.

Having said that, let me bring to the notice of this honourable House exactly what Col. Rusell has said ; and the House will bear with me if I read one or two sentences from the report, parts of which have already been placed before the House by our Director of Public Health. This document, issued by the Government of India, came into the hands of the Travancore Government on the 9th of November 1939. One of the first points raised in the report is the rice trade of Cochin.

> "The rice trade of Cochin port is almost wholly located in Mattancherri, one of the most overcrowded towns in India. The great majority of the grain godowns are situated along the water front on a strip of land which by statutory definition lies in the port area."

> "The repeated appearance of plague in Mattancherri, however, is a serious matter to this new port, if, as the Administrative Officer says, it is desired to preserve her ancient role of a rice depot."

The suggestions that are made in the Report are—

> "(1) the construction of rat-proof granaries on Willingdon Island, these to be rented to the present traders for grain storage purposes and their use to be made compulsory ; or
>
> (2) complete reconstruction in accordance with approved rat-proof designs of all godowns lying along the two miles of water front in Mattancherri municipality."

These measures have so far not been effectively taken.

> "My inspection of the grain godown area made it obvious that the anti-plague measures being practised in Mattancherri are unlikely to be effective."
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> * * * *
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> "During my visit I attended a conference...............From what I was told I believe that during the recent plague outbreak, deliberate concealment of plague cases and deaths occurred."
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> * * * *
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> "Whilst the Director of Public Health, Travancore, was not prepared to accept everything that the Cochin Officers reported in connection with plague, he said that, during the previous outbreak, he has accepted without much demur the fumigation certificates issued in Cochin after the *valloms* had been treated with cyanide in the harbour before they left for the customs stations on the borders of the Travancore State......................The appearance of plague in different parts of Travancore has compelled the Public Health authorities of that State to take stringent measures and, in the circumstances, this seems to be reasonable."

That is the considered judgment of a person unbiassed either in favour of Travancore or in favour of Cochin in relation to this matter, an officer whose main duty is to look after the public health

[President]
of India. The conclusions he draws are that Mattancherri is a potential source of plague, that adequate and effective measures have so far not been taken there and that reasonable and stringent precautions must be taken in Travancore to avoid the spread of plague. The Director of Public Health reported to this Government—and this must be borne in mind—that the cyano-gassing that was done at Mattancherri was not sufficient in his opinion ; because, cyano-gassing has, in order to be effective, to take place for about three hours, whereas, in Mattancherri, only 15 minutes were being allowed. Therefore it was not a case of the Travancore Government acting *suo motu* or with any inherent malice or cussedness. It was in their effort to preserve the public health of Travancore that, on the report of their Director of Public Health, they decided that, in the circumstances reported by him, the only alternative was that on all frontiers cyano-gassing should be effected by Travancore authorities ; and that was done. It so happened that, at that time, there were a number of *valloms* or other vessels in the backwater and canals. There is no gainsaying the fact that a certain amount of delay occurred. There is no point in concealing these matters ; it is better to make things absolutely clear so that a campaign of lies need not go on. It has been alleged.

> "..........that the Travancore Government as per the advice of Sir C. P. had imported and stored at Alleppey or some other place a large number of rice bags some months before at a high price and that since the price of rice fell down afterwards the rice bags are lying there unsold. We should ask whether Sir C. P. is sure that these symptoms of plague do not start from the godowns where these bags rot or not"

That has been the kind of attack that has been going on ; and it has sometimes found vocal expression and has otherwise been repeated from place to place and from person to person.

Some facts had better be borne in mind. Cochin sends into Travancore, and Travancore consumes, nearly Rs. 2½ crores worth of rice roughly every year. The total cost of the rice that the Travancore Government purchased recently comes to Rs. 13 lakhs, just less than fifteen days' supply for Travancore ; and the suggestion is that, in order to safeguard their interests involved in this Rs. 13 lakhs worth of rice, the whole of the import trade from Cochin was disorganised and dislocated by the Travancore Government. Moreover, that rice was not purchased at a high rate and is not sought to be sold at a profit. The directions of Government are that that rice, if sold, should be sold at one anna less than the retail market rate of the locality. That is the order of Government, *viz.*, far from making a profit Government came to the conclusion in public interests to sell rice at a favourable rate. The rice

so purchased was simply to be kept by way of precaution so that if, during the war scare the traders began to put up the price of rice, Government may combat it by storing some rice and tell the merchants that if they unreasonably raised the price, Government would sell this rice to frustrate their efforts at lower and more reasonable rates. As a matter of fact, that did bring down the price. It was a very effectual measure. Government are not particular as to selling this rice and there is no particular reason why they should adopt any special measures to facilitate the sale of this rice.

I may say at once that the circulation of this very foul accusation has been going on for some time. The whole point is that very little is heard of any plague in Cochin; nobody wants to make these things public. And the public health of Cochin is as much a matter of importance for Travancore as it is for Cochin because we are partners in the port of Cochin. If there is any default in taking the necessary steps to eradicate plague in Mattancherri, and accusations are made against the Travancore Government for taking measures to prevent the importation of plague into Travancore, it behoves this Government to make the position clear.

I am, however, in a position to say that, very fortunately, on account of the efforts made by Government and our Director of Public Health an arrangement has now been almost concluded between Travancore and Cochin to the effect—I hope that it will be implemented by the Cochin Government shortly—that hereafter the fumigation and the cyano-gassing should be conducted at Mattancherri in the presence of a *Travancore* Public Health official and that only after that process rice and other products could come from Cochin into Travancore. That would make it superfluous hereafter to have any cyano-gassing or fumigation of the *valloms* or at the frontiers. That is a tentative agreement and I hope that it will be implemented. It is hoped that, if, in a spirit of mutual accommodation, relevant and pertinent facts are mutually revealed and the measures taken in Cochin and the measures necessary and indispensable in Travancore are also continued, this very great menace will be combated successfully.

Mr. Kottur Kunjukrishna Pillai: In view of the statements made by the Public Health Director and the Dewan-President, and of the assurance given that the measures will be continued, I withdraw the motion.

The motion was, by leave, withdrawn.

The House adjourned at 12-33 P. M.

A. GUNAMONY,

Secretary to the Sri Chitra State Council.

PROCEEDINGS
of
THE TRAVANCORE SRI CHITRA STATE COUNCIL

(OFFICIAL REPORT)

SECOND COUNCIL.

VOLUME XV—NUMBER 3.

SIXTH SESSION—1115/1940.

Wednesday, the 18th Makaram, 1115/31st January, 1940.

The Travancore Sri Chitra State Council met again in the Legislative Chamber, Public Offices, at 11 A. M with Sachivottama Sir C. P. Ramaswami Aiyar, K. C. I. E., LL. D., Dewan-President, in the Chair.

MEMBERS SWORN.

The following members took the oath and signed the rolls :—

1. Khan Bahadur G. S. Abdul Karim Sahib Suhrawardy (*Inspector-General of Police*).
2. Mr. K. R. Narayana Aiyar (*Director of Agriculture and Fisheries*)
3. Mr. P. G. Narayanan Unnithan (*Excise Commissioner*):
4. Mr. V. R. Sankaranarayana Pillai (*Secretary to Government*).
5. Mr. V. Subba Aiyar (*Nominated for the purpose of the Travancore Child Marriage Restraint Bill*).

QUESTIONS AND ANSWERS.

Manufacture of cement.

31. ***Mr. K. M. Kesavan** (*Karunagapalli, Kartikapalli and Ambalapuzha cum Shertallai*) : Will the Government be pleased to state :

(*a*) whether they have finished their investigation into the possibilities of manufacturing cement in Travancore ; and

(*b*) if so, what its result is?

G. P. T. 2190—5-9-1115.

Mr. M. K. Nilakanta Aiyar (*Chief Secretary to Government*): (*a*) No.

(*b*) The question does not arise.

Mr. K. M. Kesavan: May I know the probable period within which the investigation will be made complete?

Mr. M. K. Nilakanta Aiyar: The department is now solely engaged in mica and graphite required for war purposes. As soon as that work is over it will be taken up.

Cardamom plants.

32. * **Mr. K. M. Kesavan**: Will the Government be pleased to state:

(*a*) the centres where cardamom plants are affected by disease;

(*b*) the total area covered by it; and

(*c*) the places where any remedy has suceessfully combated the disease?

Mr. K. R. Narayana Aiyar (*Director of Agriculture and Fisheries*): (*a*) Cardamom plants in the following *thavalams* of the Peermade taluk have been reported to be affected by pests and diseases.

1. Vazhaveedu thavalam
2. Chathanoda do.
3. Chakkupallom do
4. Karuvakulam do.
5. Kanavakuzhi do.
6. Mali do.
7. In portions of Pampadumpara.

(*b*) About 10,000 acres.

(*c*) Spraying with a solution of fish oil soap and waste tobacco is found to be a successful remedy in almost all the affected localities.

Mr. E. K. Kuriyppe (*Parur, Kunnatnad and Muvattupuzha cum Devicolam*): എത്ര ഏക്കർ സ്ഥലത്തു് ഈ പരീക്ഷണം നടത്തിയിട്ടുണ്ടു് ?

Mr. K. R. Narayana Aiyar: ൫൦ ഏക്കർ സ്ഥലത്തു പരീക്ഷിച്ചിട്ടുണ്ടു്.

Mr. E. K. Kuriyppe: അതിലേക്കു് എന്തു ചെലവായിട്ടുണ്ടു് ?

Mr. K. R. Narayana Aiyar: ഏക്കറൊന്നിനു ഏകദേശം മൂന്നു രൂപ വീതം ചെലവായിട്ടുണ്ടു്.

Mr. E. K. Kuriyppe: ഏതെല്ലാം സ്ഥലങ്ങളിലാണു് ഈ പരീക്ഷണം നടത്തിയിട്ടുള്ളതു് ?

Mr. K. R. Narayana Aiyar : പാമ്പാടുംപാറ, വാഴവീട് മുതലായ സ്ഥലങ്ങളിലാണു പരീക്ഷിച്ചു നോക്കിയിട്ടുള്ളതു്.

Duty on Tobacco.

33 * **Mr. K. M. Kesavan** : Will the Government be pleased to state :

(*a*) the duty per pound on Coimbatore tobacco ;
(*b*) the duty per pound on Jaffna tobacco ;
(*c*) the price per pound of Coimbatore tobacco ; and
(*d*) the price per pound of Jaffna tobacco at present ?

Mr. P. G. Narayanan Unnithan (*Excise Cmmissioner*) : (*a*) As 3 pies 2.

(*b*) As. 5 pies 4.

(*c*) 1st quality	(കൊണ്ടെംക്കൂപടങ്ങൾ)	Chs. 18 per lb.	
2nd quality	do.	Chs. 16 per lb.	
3rd quality	(പടങ്ങൾ)	Chs. 14 per lb.	
4th quality	do.	Chs. 12 per lb.	

	Rs.	Chs.	C.
(*d*) 1st quality	1	10	8
2nd quality	1	7	0
3rd quality	1	3	8
4th quality	1	0	0

Mr. K. M. Kesavan : When the difference in the duty on Jaffna Tobacco and Coimbatore Tobacco is not much, may I know why this great disparity is seen between their prices ?

Mr. P. G. Narayanan Unnithan . Sir, the price depends not only on the duty of the different varieties of tobacco but upon the cost price of the article also..

Mr. K. M. Kesavan : Very recently, when duty on Jaffna tobacco was increased was there any strike from the *Mel-labham* licensees who had the monopoly of importing that variety of tobacco?

Mr. P. G. Narayanan Unnithan : Sir, there was no strike.

Mr. E. K. Kuriyppe : ഇവയുടെ റേറ്റ് വർദ്ധിപ്പിച്ചതു് ഏതു വർഷത്തിലാണ് ?

Mr. P. G. Narayanan Unnithan : നികുതിയുടെ റേററിനെപ്പററിയാണോ ചോദിക്കുന്നതു് ? അതു കഴിഞ്ഞവർഷത്തിലാണ്.

Mr. E. K. Kuriyppe : അതിനു മുൻപിരുന്ന റേററിനെക്കാൾ കൂടുതലാണോ കുറവാണോ ഇപ്പോഴുള്ളതു് ?

Mr. P. G. Narayanan Unnithan: കോയമ്പത്തൂർ പുകയിലയ്ക്കു അതേ റേററു് തന്നെയാണു് ഇരിക്കുന്നതു്. ജാഫ്നാ പുകയിലയെ സംബന്ധിച്ചിടത്തോളം ഇപ്പോഴും കൂടുതലാണു്.

Mr. K. M. Kesavan: Is it a fact that a few *Mel-labham* licensees are alone given licenses to import the Jaffna tobacco and thus they enjoy a monopoly over it?

Mr. P. G. Narayanan Unnithan: Licenses are given in accordance with the Tobacco Act and rules passed thereunder.

Mr. K. M. Kesavan: If these licenses can be issued to all those who desire to carry on the importation of Jaffna tobacco, will the Government be able to bring down the price of that variety of tobacco?

Mr. P. G. Narayanan Unnithan: There is a maximum quantity beyond which Jaffna tobacco could not be imported into Travancore?

Mr. K. M. Kesavan: Yes. Even for the importation of that limited quantity, could not competition be encouraged and the prices brought down?

Mr. P. G. Narayanan Unnithan: Under the rules, separate rooms have to be provided in the Tobacco Bankshalls, for the wholesale licensees. It may not be worth while to give licenses to more people for other reasons also and for other difficulties that might arise.

Research in the Agricultural and Industrial Departments.

34. ***Mr. K. K Kuruvilla** (*Mavelikara and Tiruvalla* cum *Pattanamtitta*): Will the Government be plased to state:

(*a*) how far the results of research in the Agricultural and Industrial departments have been made use of by the ryots in the State; and

(*b*) if the answer to part (*a*) is in the negative will they be pleased to state why?

Mr. K. R. Narayana Aiyar: (*a*) The Department of Industries is concerned only with researches on industries and industrial problems, which are in their very nature not of much use to the ryots. The results of the researches carried on by the Agricultural Department have been translated into actual practice by the ryots in the State in so far as they relate to;

(1) reclamation of alkaline and kari soils;

(2) selection of better strains of paddy and other crops which are high yielding and disease resistant;

(3) conversion of dry leaves and other organic material into rich and valuable compost manures;

(4) applications of chemical manures to crops ; and
(5) control of crop pests by suitable measures.

(b) In view of answer to part (a) this does not arise.

Mr. K. K. Kuruvilla : May I know how many acres of alkaline and kari soil lands have been reclaimed ?

Mr. K. R. Narayana Aiyar : About five to six thousand acres in South Travancore.

Mr. K. K. Kuruvilla: May I know how many people actually got better strains of paddy and were able to apply chemical manure to their lands ?

Mr. K. R. Narayana Aiyar : With regard to the selection of better strains of paddy, I may say that a very large number of cultivators are using these improved strains in the paddy lands of South Travancore.

Mr. K. K. Kuruvilla : May I know the acreage ?

Mr. K. R. Narayana Aiyar : There are over two thousand acres where these seeds are now used.

Mr. K. K. Kuruvilla : May I know who are using them ?

Mr. K. R. Narayana Aiyar : It is not possible to give the names of the people who use them. The acreage is about two to three thousand.

Mr. K. K. Kuruvilla : May I know how far the waste materials in the tank beds and other composite manures are used by the ryots ?

Mr. K. R. Narayana Aiyar : With regard to this, I may state that artificial manure to the value of about a lakh of rupees is being purchased by the Travancore ryots every year. Compost making is being carried on in almost every household.

Transfers in the Anchal Department.

35. ***Mr. K. K. Kuruvilla** : Will the Government be pleased to give a list of the names of those in the superior service of the Anchal Department who were transferred more than three times in 1114 and to state how many among those were given travelling allowance ?

Mr. V. R. Sankaranarayana Pillai (*Secretary to Government*) : Only one person, namely, J. Yohannan, clerk, Adoor, was transferred more than three times in 1114.

He was not given travelling allowance.

Mr. K. K. Kuruvilla : May I know why he was nt given travelling allowance?

Mr. V. R. Sankaranarayana Pillai: Transfers were due more to his faults.

Mr. T. Krishna Pillai (*Kalkūlam and Vilavankod* cum *Neyyattinkara*): May I know why this officer was alone transferred by the Department?

Mr. V. R. Sankaranarayana Pillai: His transfers were in public interests.

Collection of land tax.

36 ***Mr. K. M. Kesavan**: Will the Government be pleased to lay on the table in a tabular form a list of taluks with the following particulars:

(*a*) the total annual land tax to be collected;

(*b*) the arrears of land tax accumulated at the end of 1113;

(*c*) the amount of arrears collected at the end of 1114; and

(*d*) the amount of current tax collected in 1114?

Mr. M. Ramachandra Rao (*Land Revenue and Income Tax Commissioner*):

A statement* containing the required information is laid on the table.

Appointments in the Anchal Department.

37 ***Mr. K. K. Kuruvilla**: Will the Government be pleased to state:

(*a*) whether in the matter of promotion and confirmation, Intermediates were preferred to School Finals;

(*b*) whether that system is still continued; and

(*c*) whether juniors in service were appointed when seniors in service were waiting for confirmation in service?

Mr. V. R. Sankaranarayana Pillai: (*a*) No.

(*b*) The question does not arise in view of answer to part (a)

(*c*) No.

Mr. M. K. Ananthasiva Aiyar (*Nominated*): May I know whether Government recognise that School Finals are better qualified than unqualified men in the matter of appointments?

Mr. V. R. Sankaranarayana Pillai: They are.

Mr. K. K. Kuruvilla: May I know the reason why no distinction is made in the matter of promotion and confirmation between Intermediates and School Finals?

Mr. V. R. Sankaranarayana Pillai: The distinction is made only in the case of first appointments.

Sugar from cocoanut jaggery.

38 ***Mr. K. M. Kesavan**: Will the Government be pleased to state:

(*a*) whether they have finished their investigation into the possibility of making sugar from cocoanut jaggery;

**Vide* Appendix I, page 173.

(b) palmyrah jaggery; and

(c) if so, the result thereof?

Mr. M. K. Nilakanta Aiyar: (a) & (b). No investigation has been made by the Industries Department to find out the possibility of making sugar from jaggery. It is known that sugar can be made from both cocoanut and palmyra jaggery.

(c) The question does not arise.

Mr. K. M. Kesavan: Will the Government be pleased to direct the Director of Industries to carry on the investigation to find out the possibility of manufacturing sugar from jaggery?

Mr. M. K. Nilakanta Aiyar: The Travancore Sugars and Chemicals Ltd., are experimenting on this matter.

Promotions in the Anchal Department.

39. ***Mr. M. K. Ananthasiva Aiyar**: Will the Government be pleased to state

(a) whether the subordinates of the Anchal Department with B. A. degree are given preference to undergraduates for promotion; if so, the ratio in which they are given;

(b) whether subordinates with Intermediate qualifications are given preference to subordinates with School Final qualifications;

(c) whether School Final passed subordinates are given preference to subordinates who hold V. S. L. certificates and with people without any qualifications, in the matter of promotions; and

(d) if the answer to part (c) is in the negative, what is the reason for not giving them the preference?

Mr. V. R. Sankaranarayana Pillai: (a) Yes, in the ratio of 3 : 1.

(b) No.

(c) No.

(d) Except graduates, all are treated alike.

Statement, by caste, of Ayurvedic Physicians.

40. ***Mr. K. M. Kesavan**: Will the Government be pleased to lay on the table;

(a) a list, by caste, of Ayurvedic physicians, including those who have passed 'Visha Vidya Visarada' test, who have applied for grants-in-aid to their vaidyasalas in 1113; and

(b) a list of physicians to whose vaidyasalas grants-in-aid were awarded?

Mr. M. K. Nilakanta Aiyar: (a) It is too numerous to be listed. There were more than 150 applications.

(b) A statement* giving the information is laid on the table.

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* *Vide* Appendix II page 174

Irrigation in Neyyattinkara, Vilavankod and Kulkulam.

41. ***Mr. T. Krishna Pillai**: Will the Government be pleased to state :

(*a*) the total amount allotted for irrigation works in the taluks of Neyyattinkara, Vilavankod and Kalkulam by the Irrigation Executive Engineer in 1112, 1113 and 1114 respectively ;

(*b*) the total expenditure for works actually executed during these years ; and

(*c*) the reasons for abolishing the Irrigation Division ?

Mr. M. S. Doraswami Aiyangar (*Chief Engineer*):

(*a*) & (*b*) A statement* furnishing the information is laid on the table.

(*c*) As a measure of retrenchment, the Irrigation Division office alone was abolished.

Lock-up for Nemom Police Station.

42. ***Mr. T. Krishna Pillai**: Will the Government be pleased to state whether they have taken any step in providing the Nemom Police Station with a lock-up ; if not, why not ?

Khan Bahadur G. S. Abdul Karim Sahib Suhrawardy (*Inspector-General of Police*) : Yes.

Mr. T. Krishna Pillai: May I know the nature of the steps taken by Government in the matter of providing the lock-up ?

Khan Bahadur G. S. Abdul Karim Sahib Suhrawardy: After the examination of the question, I have drawn the attention of the Government to this and the Government have entrusted the subject to the Public Works Department.

Mr. T. Krishna Pillai: May I know how long this question was pending with Government ?

Khan Bahadur G. S. Abdul Karim Sahib Suhrawardy: The honourable member raised this question during the last session and I went to the station the same day in August 1939.

Mr. T. Krishna Pillai: May I know why there is so much delay in this matter ?

Khan Bahadur G. S. Abdul Karim Sahib Suhrawardy: Does not the honourable member know......................

President: Order, order. The honourable member should answer questions and not ask questions.

Khan Bahadur G. S. Abdul Karim Sahib Suhrawardy: Sir, I was suggesting that Government move slowly but cautiously in all matters and schemes which involve expenditure.

Mr. T. Krishna Pillai: May I know whether the member has drawn the attention of Government to move urgently in this matter ?

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*Vide Appendix III, page 175.

Khan Bahadur G. S. Abdul Karim Sahib Suhrawardy: Well, I said that Government machinery moves at its own speed. (*Laughter.*)

Mr. M. Sultan Muhiadheen (*Trivandrum and Nedumangad* cum *Chirayinkil*): May I ask the honourable member whether the State Congress is not dead now and so whether there is any need for additional lock-ups?

Khan Bahadur G. S. Abdul Karim Sahib Suhrawardy: Well, I am not sure whether the State Congress is dead. But like the reptile which when overpowered lies low and pretends to be dead and raises its head and tries to bite you if you are not watchful—

President: I do not think it necessary to mention the peculiarities of any animal.

Khan Bahadur G. S. Abdul Karim Sahib Suhrawardy: Sir, that reptile is known in Hindusthani as *Doe Moo Chaklan* and in Tamil "ഇരട്ടത്തലനാഗം", double headed snake... ...

President: Order, order.

Khan Bahadur G. S. Abdul Karim Sahib Suhrawardy: Sir, like that, the State Congress is raising its head in Ernakulam, Madura and at other places.

President. Order, order.

Khan Bahadur G. S. Abdul Karim Sahib Suhrawardy: Excuse me, Sir.

New Insurance Act, XIX of 1114.

43. ***Mr. V. Sankara Menon** (*Trivandrum and Nedumangad* cum *Chirayinkil*: Will the Government be pleased to lay on the table a statement by category (Life, Fire, Marine, Accident Motor car, Workmen's Compensation etc.) of :—

(*a*) insurers who have applied for registration under Act XIX of 1114;

(*b*) those registered till now:

(*c*) the amount of deposit sanctioned by Government in the respective cases;

(*d*) the amount of deposit made by insurers and their respective names; and

(*e*) the amount of registration fees paid by the respective insurers?

Mr. M. K. Nilakanta Aiyar: *The statement containing therequired information is laid on the table.

Mr. V. Sankara Menon: In regard to part (*e*) it is stated in the statement appended that the 8th number paid a registration fee of Rs. 10 whereas the Act compels a minimum of Rs. 100. How is it explained?

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*Vide Appendix IV— page 176.

Mr. M. K. Nilakanta Aiyar : It is a printer's devil.

President : It is obvious. The Secretary will see to this and report to Government every instance of such mistakes. It may be taken as a general rule that every instance of such mistakes may be punished. A large number of mistakes have occurred this time.

Mr. V. Sankara Menon : Sir, in regard to the amounts deposited by the respective insurers I find some of them have deposited amounts more than sanctioned by the Government. May I know the reason for this?

Mr. M. K. Nilakanta Aiyar : No, Sir. The initial deposit has been fixed by the Government. Whatever excess there is, will be credited towards the deposits still due.

Mr. V. Sankara Menon : I find from the tables that different amounts are sanctioned for different insurers. May I know from Government the criterion for judging the amount of the deposits?

Mr. M. K. Nilakanta Aiyar : Deposit amounts have been finally fixed only yesterday and a communique is being issued on the subject. For Life Insurance, the deposit is Rs. 12,500 and the total amount is Rs. 50,000. For fire, marine and accident insurance the lowest deposit is Rs. 2,500 and the total is Rs 10,000

Mr. V. Sankara Menon : May I know from Government why, when a concession is sanctioned under Section 98 of the Act, in the case of mutual life societies there is no difference made in the amounts sanctioned for the deposit?

Mr. M. K. Nilakanta Aiyar : I claim notice.

Malaria.

44. ***Mr. V. Sankara Menon** : Will the Government be pleased to state :

(*a*) whether any adjournment motion was moved in the Council in Mithunam 1114 regarding the immediate necessity of taking effective measures to check the spread of malaria to Trivandrum and other places ;

(*b*) whether effective measures have been taken to check the fury of the disease since then and with what result ;

(*c* the monthly death rate from malaria in the affected pakuthies of Neyyattinkara and Nedumangad taluks for the last eight months ; and

(*d* the names of pakuthies in Trivandrum taluk affected by malaria, number of deaths if any due to malaria and the nature of measures taken to combat the disease:

Mr. M. K. Nilakanta Aiyar (*a*) Yes.

(*b*) Yes.

(*c*) Separate figures for malaria are not available.

(*d*) There are only stray cases in the Trivandrum taluk so that no pakuthi in the taluk can be said to be malaria-infected.

Mr. T. Krishna Pillai : With reference to answer to part (*b*) of the question may I know from the member the result of the measures taken ?

Mr. M. K. Nilakanta Aiyar : There is decided improvement.

Mr. T. Krishna Pillai : May I know whether those measures are being taken even now or whether they have been stopped ?

Mr. M. K. Nilakanta Aiyar : They are being taken even now.

Mr. T. W. U. Park (*Travancore Planters*) : With reference to the answer to part (*c*) of the question, if separate figures for malaria are not available, may I know how it is known that the measures are effective ?

Mr. M. K. Nilakanta Aiyar : There are Sanitary Inspectors who send up their reports and from these reports it is seen that the measures are effective.

Mr. T. W. U. Park : Is it not the intention of Government to keep correct statistics in regard to malaria ?

Mr. M. K. Nilakanta Aiyar : Yes. Government have appointed an officer and instructions will be given to him to prepare correct statistics.

Undergraduate Clerks in the Judicial Department.

45. ***Mr. V. Sankara Menon** : Will the Government be pleased to lay on the table a list showing :

(*a*) the number of undergraduate clerks in the Judicial Department who have put in more than ten years' service in the department with their present pay ; and

(*b*) the number of undergraduate clerks who have passed the pleadership test examination and who have put in more than ten years' service with their present pay ?

Mr. Puthupally S. Krishna Pillai (*Legal Remembrancer to Government*) : (*a*) Government do not propose to call for the information as the time and labour involved in the collection of the statistics is out of all proportion to its possible utility.

(*b*) (i) No. of undergraduate clerks in the Judicial Department who have passed the Pleadership Test and who have put in more than ten years service. ... 31

(ii) Their present pay :—

		Rs.		Rs.
1	on	100	in the scale of	75-100
6	on	65	do.	40-70
1	on	55	do.	40-70
1	on	50	do.	25-50
1	on	35	do.	25-50
6	on	40	do.	25-40
1	on	37	do.	25-40
13	on	30	do.	20-30*
1	on	24	do.	20-30*

*Personal scale.

Graduate and undergraduate clerks in the Judicial Department.

46. ***Mr. V. Sankara Menon** : Will the Government be pleased to state whether there is any special rule governing the promotion or confirmation of :

(a) the undergraduate clerks with pleadership or other law qualifications in the Judicial Department ;

(b) those without such qualifications ; and

(c) graduate clerks in the same department ?

Mr. Puthupally S. Krishna Pillai : (a) & (b) Under Rule 542 of the Civil Courts' Guide, concessional service is allowed for promotion for subordinates possessing the Pleadership or other Law qualifications and those with Sheristadars and Head Clerk's Tests.

(c) Those in the subordinate courts are governed by the standardisation G. O. except in regard to the Sheristadars of District Courts the posts of which are reserved for B. Ls. and those in the High Court are governed by G. Os. R. Dis. No. 1446/38/ Judl., dated 23-5-1938 and R. Dis. 155/40/Judl, dated 10-1-1940.

Disbanded Anchal volunteers.

47. ***Mr. E. K. Kuriyppe** : Will the Government be pleased to state :

(a) the number of Anchal men volunteers who were disbanded from the department during 1108 ;

(b) whether any of the disbanded men have been re-entertained in service ; and

(c) whether after disbanding the volunteers fresh men have been entertained ?

Mr. V. R. Sankaranarayana Pillai : (a) No volunteers were disbanded in the year 1108.

(b) and (c) In view of the answer to part (a) these questions do not arise.

Auction of Toddy.

48 ***Mr. E. K. Kuriyppe** : Will the Government be pleased to state whether the toddy shops in the Piravom, Kothamangalam and Muvattupuzha Excise Ranges were auctioned in 1114 and 1115 for greater amounts as compared to those of 1112 and 1113 ?

Mr. P. G. Narayanan Unnithan : Yes. The total bid amount for the three Ranges in 1114-1115 contract was higher than in the 1112-1113 contract.

Lorry drivers in the Cochin Munnar line.

49. ***Mr. E. K. Kuriyppe** : Will the Government be pleased to state :

(*a*) the names of persons appointed as lorry drivers in the Cochin-Munnar Transport Lorry service, from the places along which the above lorries pass ; and

(*b*) the number of persons from those who have long experience as drivers in the above line that has been appointed, the names of such persons, and the posts to which they have been appointed ?

Mr. K. Sankaran (*Ag. Secretary to Government*) :

(*a*) 1, P. V. Manuel
2. P. I. Thomas
3. N. D. Raju
4. P. V. Mohamed
5. S. Parameswaran Pillai
6. K. T. Abraham
7. K. Sankunny
8. V. K. Kumaran
9. Ouseph
10. M. Uthup
11. V. A. Kuttappan
12. Pylee
13. J. John

(*b*) (i) 13
(ii) *Vide* answer to part (a)
(iii) Reserve staff.

Reservation of compartment in buses for Anchal and Tapal articles.

50. ***Mr E. K. Kuriyppe** : Will the Government be pleased to state whether there is any rule that a separate compartment should be set apart for keeping Anchal and Tapal articles in the buses carrying them ?

Khan Bahadur G. S. Abdul Karim Sahib Suhrawardy : There is no rule ; but one of the conditions of the contract for the conveyance of mails in buses is that an enclosed space measuring not less than 4ft. by 3ft. should be provided in the buses for keeping the mails.

Accidents due to drivers' inexperience.

51. **Mr. E. K. Kuriyppe :** Will the Government be pleased to state whether several accidents take place owing to want of experience on the part of the drivers of Government lorries in the Alwaye-Munnar line?

Mr. K. Sankaran : No.

Appendix I.

***Vide* Answer to Question No. 36.**

Taluk war statement re : collection of land tax.

Taluk.	Demand under current Land Revenue for 1114. (a)			Balance under Land Revenue pending at the end of 1113. (b)			Collection under arrears of Land Revenue during 1114. (c)			Collection under current Revenue for 1114. (d)		
	Rs.	ch.	c	Rs.	ch.	c.	Rs.	ch.	c.	Rs	ch	c.
Thovala	159920	25	7	8384	5	13	7020	9	12	117834	1	8
Agastiswaram	201743	15	4	29754	15	12	22590	18	3	143976	5	12
Kalkulam	169329	21	10	53591	5	6	31583	3	11	108825	24	4
Vilavankod	120810	13	14	30901	1	14	16392	27	10	64133	10	10
Neyyattinkara	137581	19	11	64566	3	1	32517	17	8	71588	12	10
Trivandrum	95251	10	1	28981	19	13	16322	14	9	58974	17	11
Nedumangad	156738	4	12	59624	22	9	28003	15	11	94035	18	9
Chirayinkil	90496	26	9	32935	4	10	2 566	16	11	62614	16	1
Quilon	108041	2	13	34345	10	13	18252	19	15	63292	4	1
Karunagapally	157682	16	8	85036	2	14	45181	3	3	97690	13	6
Kartigapally	127410	24	0	21516	14	14	17503	8	13	95284	20	8
Kunnattur	108859	5	14	44210	23	15	21537	8	6	64463	6	0
Kottarakara	138267	14	10	34108	27	12	14628	26	6	91235	6	10
Ambalapuzha	171096	0	5	51299	23	15	25627	24	12	122958	25	15
Mavelikara	134454	9	6	27866	9	3	18365	27	3	96 44	19	13
Thiruvalla	151982	6	6	19962	11	1	15264	14	14	118618	4	14
Pathanamthitta	113304	4	1	23856	12	0	7597	2	8	86423	16	9
Pathanapuram	99444	14	6	17311	8	7	9354	17	14	71568	16	9
Shencotta	91964	15	12	4745	22	1	2459	18	11	69029	19	7
Shertalla	145466	0	15	39059	19	13	27921	8	4	99945	13	1
Changanacherry	150555	13	14	20581	12	8	14023	18	15	118067	17	2
Kottayam	164530	21	5	45505	22	14	33485	1	0	110700	26	0
Vaikom	118800	25	0	6398	25	2	5017	26	13	100633	27	13
Meenachil	131985	22	13	15865	12	6	9644	1	1	98836	26	8
Muvattupuzha	167957	12	7	6784	3	2	4962	23	4	136601	18	11
Thodupuzha	91856	25	6	20757	21	2	6503	25	7	69358	11	13
Kunnatnad	154305	1	0	19934	3	14	10133	5	10	124532	2	8
Parur	148873	8	12	22148	7	3	15290	25	2	116450	1	13
Devicolam	174266	3	0	55386	0	13	9336	20	13	123664	8	7
Peermade	136907	23	13	6726	20	2	4218	1	8	118628	9	2

Appendix II.

Vide Answer to Question No. 40.

List of Ayurvedic physicians to whom grants were awarded during 1113.

Messrs.

M. P. Krishnan.
John Samuel.
N. V. Varkey.
K. Kochurama Kaniyar.
K. K. Sankunni.
K. Kunjarappan Kartha.

Srimathi K. N. Padmakshi.

Appendix III.

Vide **Answer to Question No. 41**

Statement showing Taluk-war allotment and expenditure on Irrigation works in Neyyattinkarai, Vilavankod and Kalkulam Taluks during the years 1112, 1113 and 1114.

Year.	Neyyattinkarai.		Vilavnacod.		Kalkulam.	
	Allotment.	Expenditure.	Allotment.	Expenditure.	Allotment.	Expenditure.
1112 ...	12,028	7,183	22,414	12,222	3,285	3,186
1113 ...	17,335	13,930	27,355	12,930	5,585	5,082
1114 ...	9,281	6,586	28,743	18,963	11,821	5,346

Appendix IV

Vide **Answer to Question No. 43.**

Serial No.	Names of Insurers who have applied for registration.	Amount of deposit sanctioned by Government allowing registration.	Deposit made.	Amount of Registration fee paid.	Kinds of business transacted in Travancore.	Remarks.
1	The Oriental Government Security Life Assurance Company Ltd., Bombay.	...	Rs 50,000 in the 5 per cent Loan 1945 to 1955.	S. Rs. 100	Life.	Registered as No. 1 of 1115.
2	The New Guardian of India Life Insurance Company Ltd., Madras.	Rs. 12,500	Rs. 12,500 in cash.	B. Rs. 100	Life.	Registration pending receipt of certain documents under Section 3 (2) of the Act.
3	The National Indian Life Insurance Company Ltd., Bengal.	Rs. 13,000	Rs. 13.000 in the 4 per cent Loan 1960-1970	B. Rs. 100	Life.	Do.
4	The New India Assurance Company Ltd., Bombay.	...	Rs. 2,00,000 in the 5 per cent Loan 1945-1955.	B. Rs. 400	Life, Fire, Marine and Accident and Miscellaneous.	Do.
5	The Lakshmi Insurance Company Ltd., Lahore.	...	Rs. 12,500 in cash.	B. Rs. 100	Life.	Registration pending receipt of certain documents and orders regarding exemption.
6	The United India Life Assurance Company Ltd., Madras.	Securities to the value of Rs. 14,000	Rs. 14,000 in the 3½ per cent Government of Travancore Loan 1956.	B. Rs. 100	Life.	Registration pending receipt of certain documents.
7	The Bharat Insurance Company Ltd., Lahore.	Rs. 13,000	Rs. 13,000 in (1) 3 per cent Loan 1951-1954, (2) 3½ per cent Loan 1842-1843. (3) 3½ per cent Loan 1900-1901.	B. Rs. 100	Life.	Do.
8	The Hindusran Co-poerative Insurance Society Ltd., Calcutta	Rs. 5,000	Rs. 6,000 in Travancore Government 3½ per cent Loan 1956.	B. Rs. 100	Life.	Do.

APPENDIX IV —(*contd.*)

Serial No.	Names of Insurers who have applied for registration	Amount of Deposits sanctioned by Government allowing registration.	Deposit made.	Amount of Registration fee paid.	Kinds of business transacted in Travancore.	Remarks.
9	The Indian Mutual Life Association Ltd., Madras	...	Rs. 25,000 in the 3½ per cent. Loan 1865	B. Rs. 100	Life.	Registration pending receipt of certain documents and orders regarding exemption.
10	The Bombay Mutual Life Assurance Society Ltd, Bombay	Rs. 12,500	Rs. 50,000 in the 5 per cent loan 1945-1955	B. Rs. 100	Life.	Registration pending receipt of certain documents.
11	The Jupiter General Insurance Co. Ltd., Bombay	Rs. 12,500	Rs. 15,000 in the 4 per cent Loan 1943	B. Rs. 300	Life, Fire and Marine	Do.
12	The Bombay Life Assurance Company Ltd., Bombay	...	Rs. 12,500 in the 4 per cent Loan 1960-1970	B. Rs. 100	Life.	Registration pending receipt of certain documents and orders regarding exemption.
13	The Tropical Insurance Company Ltd., Delhi	..	..	B. Rs. 100	Life.	Registration pending receipt of certain documents and deposit under Section 7.
14	The New Asiatic Life Insurance Co. Ltd., New Delhi	...	..	..	Life.	Do.
15	The National Insurance Company Ltd., Calcutta	...	..	B. Rs. 200	Life and Miscellaneous.	Do.
16	The Asian Assurance Company Ltd., Bombay	..	..	B. Rs. 100	Life.	Do.
17	The Liverpool and London and Globe Insurance Co. Ltd., England	..	..	B. Rs. 200	Marine and Accident and Miscellaneous	Do.
18	The Triton Insurance Company Ltd., Calcutta	..	..	B. Rs. 100	Marine.	Do.
19	The Atlas Assurance Company Ltd., England.	..	..	B. Rs. 100	Fire.	Do.

UNSTARRED QUESTION AND ANSWER.

List of places affected by Malaria.

Mr. E. K. Kuriype: Will the Government be pleased to lay on the table a statement showing the places largely affected by malaria?

Mr. M. K. Nilakanta Aiyar: A statement is laid on the table.

Statement showing malaria-affected places in the State.

1. Thovala taluk	Arumanallur Chiramatam
2. Kalkulam taluk	Tripparappu Ponmana Estates bordering on Kothanalloor pakuthi
3. Vilavankod taluk	Kaliel Arumana Edacode
4 Neyyattinkara taluk	Ottasekharamangalam Kunnathukal Perumkadavila Maranallur Kollayil Neyyattinkara—parts of Marukil and Vilappil
5 Nedumangad taluk	Palode Vamanapuram Pullanpara Aryanad Uzhamalakkal Vellanad Mannurkara Perumkulam Veeranakavu Kulathummel
6 Kottarakara taluk	Kummil
7. Pathanapuram taluk	Pathanapuram pakuthi Estates and Kani settlements bordering that pakuthi
8. Shencotta taluk	Puliyara Theumala Aryankavu and Kalthuruthy villages and nearby estates
9. Pathanamthitta taluk	Ranni
10 Thodupuzha taluk	Karikodu Karumannur Manakkadu
11. Kunnatnad taluk	Vengoor Manjapra
12. Devicolam taluk	Marayur Nachivayal Keelanthur Poopara Udumbanchola Pallivasal
13. Peermade taluk	Peermade Vandiperiyar Kumili Thekkadi

LEGISLATIVE BUSINESS.

THE TRAVANCORE CHILD MARRIAGE RESTRAINT BILL.

Mr. Kottur Kunjukrishna Pillai (*Quilon* cum *Kunnattur*): Sir, I move that the Travancore Child Marriage Restraint Bill as passed by the Travancore Sri Mulam Assembly be taken into consideration.

Mr. James Fletcher (*Kalkulam and Vilavankod* cum *Neyyattinkara*): Sir, I second the motion.

Mr. V. Subba Aiyar (*Nominated for the purpose of the Child Marriage Restraint Bill*): Sir, I beg to oppose the motion. Before I state my grounds, I thank the Government for having nominated me for the purpose of this Bill. I think I owe an explanation to this House as to why Government have nominated an old person like myself whose memory is failing and whose brain is becoming less active.

President: The honourable member hardly does himself justice.

Mr. V. Subba Aiyar: I am the person aggrieved, Sir.

When the Select Committee of the Sri Mulam Assembly sent up its report, a meeting of the Brahmins at Trivandrum was held and I unfortunately happened to be the president at that meeting. There I stated my view that there was no necessity for a Bill of this kind in Travancore. That statement of mine evidently influenced them to suggest to Government that I should be co-opted as a member of this House. I declined, but to pacify me they suggested that Mr. N. Subramonia Aiyar who is much younger and more vigorous would also be co-opted. I wish he were here instead of myself.

Mr. Kottur Kunjukrishna Pillai: I rise to a point of order, whether all the circumstances that led to his being co-opted as a member of this House can be adverted to when opposing a motion for the consideration of the Bill.

President: I take it that they are introductory remarks.

Mr. V. Subba Aiyar: Yes, Sir. I thought Mr. Subramonia Aiyar would be here to fight out the matter; but Government thought that one member would do, and therefore I have no one to help me.

To come to the matter on hand. I must say that the learned mover of the Bill in the Lower House was evidently very much interested in seeing that the position of women in the State is considerably improved and therefore was impelled to do her best in that direction. With reference to that I beg to submit that I am not in the least averse to any such measure. I know Srimati Narayani Amma, as the wife of an intimate friend of mine, who has

[Mr.V. Subba Aiyar.]

come to me to take advice on matters such as the "Widow Remarriage Bill." I have given the needed advice. Similarly it must be taken that I am prepared to help her in any necessary piece of legislation. The reform, such as it is, must be beneficial to the State and must be necessarily in the interest of the State. Without that, I beg to submit, no legislation is necessary. Therefore I promised by saying that I am not in the least against any reform being made in regard to women. But, on the other hand so far as this piece of legislation is concerned, my humble suggestion and view is that when a legislation has to be passed by the legislature, there must be a proved necessity, that is to say, a proved evil to be remedied against; or there should be a demand, for such legislation, by the people affected. Either the one or the other may be enough; but in this case, there is neither the one nor the other. Therefore my point is that no necessity has arisen for a legislation of this kind. In the words of the mover, it is intended to adopt the conditions obtaining somewhere else, not in British India or other States which are not so advanced, but in other countries. The second object seems to be that in the interests of the future generation such a Bill is necessary. Thirdly, the matter has to be prevented on other grounds also. I shall deal with these one by one.

Before I go into these matters I may say that this Bill seems to have been adopted from the measure passed in British India. In British India the conditions are totally different, calling upon the legislature there to pass such a measure. From the figures available to me I find that in the whole of India as per census of 1921 there were 218,453 marriages between the ages 1 and 5 and of these, 15139 married women became widows. Between the ages of 5 and 10 2,016,607 were married of whom 2,79,124 became widows. In British India, therefore, the condition was very appalling and there was the necessity for such a legislation. Going to particular provinces in British India, we find in Bombay that between the ages of 1 and 2 years, there were 1,671 marriages, between 2 and 3 years, 4,378, between 3 and 4 years 7,219, between 4 and 5 years 12,834 and between 5 and 10 years 193,582. From these figures it would appear that girls began to be married between the years 1 and 2, long before they had anything to do with the world. Therefore, in that province and other provinces similarly situated there was a necessity. In Guzerat I understand that there was a system of mass marriage, something like the old *Thaliketu* ceremony in Travancore when some girls in a particular family or tarwad were married. Other people also were allowed to undergo that ceremony simultaneously in the same pandal. In Guzerat what happened was that there was a marriage season when many girls were married whether they were of marriageable age or not. Otherwise, they will have to

remain unmarried till the coming of the next marriage season; so much so, girls between 3 and 4 years were married; and if they miss one season, they might have to wait for another 12 years. In Bengal also child marriage was prevalent. In the United Provinces I find that out of 18.633 girls married below 5, 12,233 became widows; out of 306,618 girls married between 5 and 10, 12,223 became widowed. The same is the case with the Central Provinces and other provinces for which details are unnecessary to be cited. But it may be stated that in Bihar and Orissa 19 persons were married below 5 years and 154 per mille between 5 and 10. Thus from the statistics for those places we find that it was absolutely necessary that there should be such a legislation so far as British India was concerned, because marriages took place under 5 years even between the years of one and two, the earliest possible period of one's life. It is fortunate that there was no marriage when the children were in the womb. Such a condition does not exist in Travancore.

Now the mover of the Bill herself has admitted in the statement of objects and reasons that child marriage is not a very serious evil in Travancore, the number of girls getting married up to the age of 15 being fewer in the State than in other parts of India. In her speech introducing the Bill she said "while I admit that conditions in Travancore with respect to child marriage are better than in British India they are still bad enough." Hence I will plead before the House that she is not to be supported on that ground.

I may read for the information of the House the following extracts from the Census Report, Volume I, (page 187).

"In the age period 0-5, there is none married in Travancore, whereas in India six males and twelve females per thousand are married. In the next period 5-10, only one in 1,000 boys and eight in 1,000 girls are married in Travancore against 34 boys and 93 girls in India. It is noteworthy that out of eight girls in 1,000 that are married in Travancore, Hindus and Muslims have the smallest number, viz., seven in 1,000, while the Christians have nine; but the insignificance of the problem of child marriage in this State will be brought out more clearly by the actual figures. Out of a total population of over 2½ million females, of whom over a million are married, there are only 2,484 married girls at the age-period 5-10. Of these, the Hindus number 1,362, Christians 942, Muslims 177 and primitive tribes 3. Of the Hindus, the highest proportions are found among the Brahmins and the Kudumis, among whom pre-puberty marriage of girls is compulsory. The point that deserves special mention is that the Christians show a higher proportion of married girls between the ages of 5 to 10 than the Hindus taken as a whole, though the proportion is naturally lower than that of the castes like the Brahmins and the Kudumis who are bound to marry their girls before they attain puberty"...............

[Mr. V. Subba Aiyar.]

In paragraph 237, the Census Commissioner says —

"The conclusions to which the figures discussed above lead are that child marriage is much rarer in Travancore than in India, that comparatively it is more common among the primitive tribes than among the civilized communities, that of the latter the Christians are, more addicted to the practice than the Muslims or the Hindus, and that it is least prevalent among the Hindus taken as a whole. Of the different castes of the Hindus, the few among whom pre-puberty marriage of girls is compulsory, no doubt marry a larger proportion of their children; but they form such a small percentage of the total Hindu population that *their practice does not materially affect the general position*." (Italics mine.)

"It is interesting to know that child marriage is decreasing from census to census"

At para 241, the report continues :

'The Sarda Act of British India prescribing the age limit for the marriage of girls at 14 and for boys at 18 is not in force in Travancore. There is no general demand from the people as yet for the enactment of a similar law in this State nor does there seem to be any urgent necessity for it. We have seen that child marriage is far less common in this State than in India and that it is declining with the spread of education.''

So that then, from the Census Report it will be found that child marriages are not as common here as in British India. Then, there is no demand for the legislation, or any necessity for the same. I say this because, in a matter of this kind, legislation is not the proper method. The evil, if any, should be left to the free volition of individual persons to be removed ; it must be left to the people to remedy. As I have said at the outset, I am not against social reform at all. Nor am I against this particular reform. It must be done by the people themselves, not certainly by the compulsory process of legislation. It is that difference that I want to impress on the House, namely, that such a reform should be left to the individual persons concerned. Therefore I say legislation is not desirable in this matter. I myself can testify that my daughters were married at the age of 11 and 12 whereas my grand daughters were married at ages before and after 14. So that then, I say, I am not against that reform. But all that I say here and now is that that reform must come from the people themselves through education, through propaganda and other allied things ; and even that is not necessary for Travancore, because I find that from statistics that the Brahmins and the Kudumis are the only persons among whom pre-puberty marriage of girls is compulsory. On a reference to the figures given in the second volume of the Census Report the facts would be clear. My remarks particularly would apply to Brahmins among whom alone pre-puberty marriage exists. In the

second volume of the Census Report, page 42, there is one portion. It is said that there are 26,908 females and about 27,000 males among Brahmins in the State. Altogether there are about 50,000 Brahmins out of which, at and before the age of 6, there is absolutely no marriage anywhere in Travancore. Between the ages of 7 to 13, 3 marriages have taken place. Even of these we do not know how many were married at 12 or 13. That, I beg to state, is too small a number to require any legislation for that purpose. Therefore, as far as that matter is concerned, there is no necessity for any legislation, nor do I see the demand for it.

Then it may be said "If people themselves have marriages performed at 13 or 14 what is the serious objection to the Bill?" This aspect of the question is foreign to the point. Legislation in a particular state is an index of the culture, of civilization, of education in the State. Admittedly we are all proud of the high level of education in this State. Therefore, when people themselves have begun to adopt higher ages for marriages—when there is not a single instance of marriage below the age of 6 and very few between the ages of 7 and 13, I dare say, my friends on the other side will not insist on legislation being thrust upon us.

Next, it may be suggested that medically, child marriages may affect children. That again Sir, is begging the question. Are there materials to say that the health of the girls has been vitally affected? I have given the figures of marriages from the age of 1 to 13, and we have found that there are only very few cases. That being the case, there is nothing to show that a girl married before 14, conceived a child before 14 and brought forth an unhealthy child. The point is, she might have conceived and brought forth a child after 14. The question then is, will it be objectionable to a girl married at 12 or 13 or say even at 14, to conceive a child? In my opinion it is not a case where it is necessary to legislate simply because the children of some conceived after 14 may not be healthier. Anyhow that is not the point. There is nothing to show that any girl married before 14, conceived and brought forth a child not quite healthy. Unless therefore there are materials to justify the inference I boldly say there is no necessity for any legislation in that behalf. The health of the mother is not at all the exact point. It may be said that a healthier child may be due to the girl having conceived at a particular age. It is not the age of the girl at the time of marriage that is important. It all depends on the nourishment, the condition in which the girl has been brought up and so forth. Such a girl will have a healthier child than a sickly, economically destitute girl married at the age of 15 or 16. The healthiness of a child depends on the nourishment of the mother irrespective of the age, the condition in which the child is born, and the way the mother has been brought up.

[Mr. V. Subba Aiyar.]

There is one other thing which so far as my experience goes has to be noted in this connection. On account of the health of the mother, on account of the frequency of conception and delivery almost once every year, the mother becomes subject to various diseases; so also the child.

So, it does not depend upon the age of the mother; it depends upon certain other conditions; I believe, upon the tradition and practice of the family. It depends upon the circumstances of a particular family. From all these things we can see that the health of the mother does not depend upon the age of the marriage but on ever so many other things as for instance, the economic condition of the family. Therefore such a legislation is not necessary. Even on the question of health, doctors are not unanimous in their opinion. There are ever so many doctors who say that Hindu early marriage is the best for the health of the child. No doubt, there are others opposed to this view. When medical science is changing from day to day, there is no guarantee that one set of medical men must be preferred to another set. I may cite an instance. In Burma where there is no child marriage infantile mortality is greater than in any province in India. So, infantile mortality does not depend upon child marriage. Therefore, I would not advocate any legislation for this.

Then again, the ultimate point upon which Sry. Narayani Amma relied upon in introducing this Bill is this She says—

> "In matters like the evil of child marriages, we have to compare conditions in Travancore not with what they are in less advanced States and Provinces in British India, but what they are in more advanced and more progressive countries."

Whatever I may agree to so far as Sri. Narayani Amma's Bill is concerned, I strongly object to that observation, *viz.*, that we may imitate foreign countries with a view to changing conditions here. So evidently, she has not read any legal report or other proceedings in connection with the subject in various parts of Europe and other countries. I may state that the Upper House is always there to check the eccentricities and excesses of the Lower House. I may be accused of using the term 'excesses'. The question is this, when there is no sufficient necessity for the present Bill, why encumber the Statute Book with it? The conditions in Europe, America and other places speak for themselves about the undesirability of passing such a piece of legislation.

Above all, there is such a thing as climate. It is common knowledge that a girl attains maturity at about 13 in the tropics, much earlier than in cooler countries. Sex impulse is greater in

tropical countries than in cold countries. I do not want to quote any statistics in support of the statement. Everybody knows it. The habits, manners and customs of foreign countries are not to be imitated in this respect. Various books have been written up in the subject by eminent persons and I do not wish to refer to them. Indian ladies however much educated have not as yet begun to move freely in society. Our women, whatever may be their position, will not move freely with a stranger. They are still reserved. Then why import the foreign customs here? Further, as Mr. M. K. Acharya remarked in the Central Assembly, marriage is a sacrament and it ought not to be a matter to be settled after the ecstacies of a ball room or the ethics of a divorce court. In other words, when girls are married at the age of 13, the parent or other guardian is the best person to look after their interests. According to us, pre-puberty age is 13. I do not say that there are no marriages of girls who have passed the age of 14; but that cannot be helped. Such marriages also take place. But all the same, it is a sacrament.

Lastly I may read a passage. I take the responsibility for what is contained therein and I adopt it as my argument.

Mr. M. Govindan (*Nominated*): Sir, can a written argument be read here?

President: Honourable members are entitled to refresh their memory from written notes from which arguments can be developed.

Mr. V. Subba Aiyar: Although when I was a member of the House, not of this House, about 12 years ago, I did not refer even to notes in connection with Legislative Enactments, nor even as Deputy President now I sometimes.........

President: I do not think the honourable member need explain his position. We can fully realise it. The honourable member will proceed.

Mr. V. Subba Aiyar: A gentleman like Mr. Satyamurti says like this:—

"I am not one of those who opine that secular legislatures shall undertake no social legislation. But I do claim that secular legislatures must walk very warily in respect of social legislation. Legislation opposed to the deepest religious and social feelings of the people is bound to prove *brutum fulmen*. Moreover, it will seriously affect the prestige of the legislature. From that point of view, any legislation which compels people to commit what they sincerely and on reasonable grounds believe to be a gross sin will be resented throughout the country, and will in practice be disobeyed until the law is laughed out of the statute book. I maintain that South Indian Brahmins, for whom alone I speak in this article, have reasonable grounds to, and do sincerely believe according to the Parasara Smrithi which is the supreme authority

[Mr. V. Subba Aiyar.]

for the Kali Yuga for them, that they must marry their girls on their attaining their twelfth year, and that otherwise they commit a very heinous sin. I then ask what moral or other right any secular legislature has to tell these people that they must choose between committing a sin and going to Jail. This is an intolerable dilemma, which no responsible legislature ought to place before any section of the people for whom it professes to legislate. The cheap sneer that Brahmins generally do not observe the injunctions of Parasara nowadays is no answer. Can a legislature tell those who want to observe their religious injunctions, that they shall not observe them, except on pain of going to prison?"

I beg to state that so for as this legislation is concerned, some other legislation must have precedence. In every country, the age of consent is always higher than the age of marriage.

Although under this Bill, a man may not marry a girl before the age of 14, he may have consummation before that. Still he may not commit rape because, even now, under the Penal Code it is not rape to have sexual intercourse with a girl under 14. There is that anomaly now.

President: I do not know whether that is a very relevant argument.

Mr. V. Subba Aiyar: It may not be, Sir, but I want to bring to the notice of this House that anomaly between the provision in the Bill and the provision in the Penal Code. But the age of consent can be raised. Because in these days, every average man may be presumed to have sufficient self-restraint not to interfere with the rules of marriage. If you take the Brahmins as they are, even after the betrothal, there have been no cases of pre-puberty unions. So much so, they pay greater attention to the age of consent. So far as the south Indian Brahmins are concerned, this is particularly the case with them. This is referred to in the Age of Consent Committee Report. But the age of consummation is not announced. That may be due to the fact that consummation would only take place after the age of 14. What I say is that, in the case of Brahmins, consummation is effected only after the age of 14. If that is so, nobody will be aggrieved, and there is no need to fix the age for marriage. If the betrothal takes place before 13, consummation may take place after 14 or even 15. An young man may marry a girl before 13 and may go for higher studies to England or some other place and come back when the girl is above 14, and then he may effect consummation. Here we do not find anything improper or harmful to the young man or to the girl. What we want to do is to make provisions to see that consummation takes place only later. If consummation results in pregnancy that cannot be hidden, so that

there will be no difficulty of establishing a prosecution. Hindu marriage is an ideal form of marriage. If it is absolutely necessary, suitable provision may be made to have the age of consummation fixed at 16 or 18 without interfering with the age of marriage. With regard to the boys, the age of marriage can be made 18; and with regard to the girls, it does not require any legislation. I have so far met the arguments of Sry. Narayani Amma. Mr. Kunjukrishna Pillai has not advanced any argument, and he is not entitled to.........

President: The honourable member need not bother about it. His arguments are fairly well known by this time.

Mr. V. Subba Aiyar: Sir, with these words I oppose the motion.

Mr. G. Narayana Aiyar (*Parur, Kunnatnad and Muvattupuzha* cum *Devicolam*): Sir, I also oppose the motion. After the instructive, exhaustive and able speech delivered by my honourable and learned friend who preceded me there is very little left for me to say against this motion. Any how, I shall make one or two observations as briefly as possible. The grounds alleged by the mover for bringing forward a Bill of this kind is stated in the statement of objects and reasons like this: "To prevent the serious social evil which tends to undermine the health and vigour of the future generation".

Marriage, as understood by certain communities especially the Brahmin community does not include consummation or nuptials. So far as the Brahmin community is concerned, the marriage is only a betrothal settling the parties to it once for all as husband and wife and making their relationship irrevocable. It is a religious sacrament and not a contract which could be put an end to by both or either of the parties as is the case with some of the other communities. The only community that will be affected by this Bill is the Brahmin community excepting of course the Nambudiries who follow a totally different system so far as marriage is concerned. Sir, we have to respect the religious sentiments of all communities even though it is not possible to explain the same. No community has any right to dictate to other communities to follow a different line of conduct opposed to their religious sentiments. And so far as Travancore is concerned, our State is famous for its religious toleration and respect for the religious sentiments of the people. So, whenever a legislation is being introduced which would affect the religious sentiments of a particular community however small its strength may be, I submit that the opinion of that community should be the guiding factor in passing or not passing that piece of legislation. It should also be seen whether any demand for such a legislation has been made by that community. In short, it should

[Mr. G. Narayana Aiyar]

be done with the consent of the community affected. I make bold to state not only there was no demand from that community for such a piece of legislation but there was very strong protest against it on sentimental as well as religious grounds. So far as the Brahmin community is concerned, their total strength as per the census report of 1931 is only 68,700. Out of this there are 848, Malayali Brahmins and 5450 Potti Brahmins.

Mr. Kochikal P. Balakrishnan Tampi(*Karunagapally*): *Kartikapally and Ambalapuzha* cum *Shertalai*): May I know whether Parasara's smrithies do not apply to the Malayali Brahmins?

Mr. G. Narayana Aiyar: Not exactly. They have modified it by custom. Deducting these two communities in which prepuberty marriage is prevalent there are only thirty seven thousand and odd persons in the Brahmin community and all of them object to this piece of legislation. They form only ·75 per cent. of the total population. The smallness of the community is not the test in such matters. As has been observed by the learned speaker who spoke before, I ask, Sir, was there any demand from any member from this community for a social legislation of this kind? And I ask again, was there not sufficient protest from them against it? In this connection, I may be permitted to submit that there are only about 28 Samoohams in this State and all the Samoohams have entered emphatic protests and opposition to this legislation. They have submitted their protests and opposition to the Government, have sent in memorials and resolutions objecting to this piece of legislation which affects them very seriously in practice as well as on principle.

Mr. Kochikal P. Balakrishnan Tampi: Will there not be fractional points in each of the Samoohams in favour of this Bill?

Mr. G. Narayana Aiyar: No Sir, so far as I am aware of. It is not possible to ascertain the views of each and every member of the community. We have full belief in our religious tenets. Everybody has got respect for his religious sentiments.

It may not be out of place in this connection to quote a few authoritative texts binding upon us as regards the object of marriage, the time of marriage, effects of the non-observance of texts and marrying girls after they attain puberty.

The object of marriage is thus described.

"ധനാനാം പൂർവ്വേഷാം, ധനാനാംപരേഷാം, ഋണമന്ധേ,
ഏകവിംശതികുല, ഉത്താരണാദ്യാര, നിത്യനിരക്ഷയ ആനന്ദ
ശാശ്വത ബ്രഹ്മലോക അവാപ്ത്യർത്ഥം, ബ്രാഹ്മണവിധിനാ
കന്യകാദാനാഖ്യം മഹാദാനം"

Latest period of marriage of girls

"യാവന്നലക്ഷിതാംഗാനി, കന്യാപുരുഷസന്നിധൌ

.... താവത് കന്യാം വിവാഹയേൽ"

Effects of marriage after puberty.

"കന്യാം ഒമൻ ബ്രഹ്മലോകം രൌരവ വൃഷളരജസ്വല"

"മാതാചൈവ പിതാചൈവജ്യേഷ്ഠഭ്രാതാതഥൈവച

"ത്രയസ്തേ നരകം യാന്തി ദൃഷ്ട്വാകന്യാം രജസ്വല"

The idea involved in this *Kanyaka Danam* is not the satisfaction of sexual pleasures but it is for the elevation of the past, present as well as the future generation and for reaching the eternal *Brahma lokam*. When marriages are performed these high ideals are kept in view. When marriages are performed with such high ideals is it just to prohibit such marriages and ask the community to perform it according to the wish of the majority in the land? Sir, I ask, is it a fair behaviour towards minority communities? In this connection I would bring to the notice of this House that the so called democracy for which there is agitation can never be a success so long as the wishes and requests of the minority are disregarded and flouted. Here is a majority community dictating to the minority community that the minority community should abide by the command of the majority community.

Again, the mover of the Bill says that child marriage will undermine the health and vigour of future generations. By raising the age of consummation as my learned friend has said, health and vigour may be safe-guarded. According to *smrithies* the latest age, fixed for marrying girls, if it was not possible to marry them earlier at 8 or 9, is the period when girls feel shy to appear before males *i. e.*, their 12th year. The Bill goes farther and directs that marriage should not be conducted before girls have completed their 14th year. As for those who do not act up to the *smrithies* in the matter of marriage of girls, the punishment laid down in the authoritative text cited above is രൌരവനരകം. In the face of these mandates, to legislate against these provisions is unauthorised. The Bill is uncalled for, opposed to sacred texts of Sanathana Dharma and subversive of beliefs, customs and usages of the Brahmin community whom it vitally affects. Passing this Bill in the teeth of opposition is unjustifiable.

There are many young men and girls in other communities nowadays who continue to remain unmarried, and they are a source of much trouble to society and if a legislation is passed that every male should get married before completing 25, that would save a good number of young girls who find it difficult to get married. Very aged persons marrying young girls may also be prohibited by legislation. Those are the matters in which one would like the champions of women's rights to bring forward legislative enactments.

[Mr. G. Narayana Aiyar.]

I would invite the attention of the House to another important feature in the communities in which pre-puberty marriage is observed. Practically all the girls in such communities get married and have their husbands ready to look after them, and to maintain them as soon as they attain puberty where as in communities where marriages are conducted after puberty, we find a number of grown up young girls remaining unmarried and waiting indefinitely for marriage. They are a source of much anxiety to parents.

As has been pointed out by my predecessor, our climatic condition is such that girls here attain puberty between 12 and 13; naturally they then get the instinct for sex. Some may be able to withstand it; others may not be able. It is the duty of the head of every family to see that the girls in the family are properly married and at the proper time without leaving the choice to girls. Unless that is done, there is the very great danger of some girls being misled.

Sir, there is also the other anomaly referred to by my learned predecessor. Section 375 of the Travancore Penal Code says that if a man commits sexual intercourse with a girl who has not completed 12, with or without her consent, it would be rape; in other words, it is no offence for a man to have sexual intercourse with a girl who has completed 12. For sexual intercourse the girl need not be past 14 but for marriage she must be past 14.

Mr. Kochikal P. Balakrishnan Tampi: May I ask whether that provision in the Penal Code has not been amended?

Mr. G. Narayana Aiyar: It was originally fixed at 10; it was after the amendment that the age of consent was raised to 12.

What I am submitting therefore is that, reading this Bill together with the provision in the Penal Code, the position would be that while you prohibit legal marriages, before the girl completes 14, you encourage concubinage before she is 14. That is one anomaly which I want to point out to the House, in case the Bill is passed as it is.

Then, Sir, the proper remedy for the evils which the mover apprehends exist in Travancore also, would be to raise the age of consent; that would not affect or wound the religious susceptibilities of this section of the people who object to this Bill.

Another point raised by the mover is that the vigour of the future generation would be affected by child marriage. Sir, where is the guarantee that child marriage would always end in child-motherhood, or that later motherhood would not affect the health of the mother injuriously? Has the mover any scheme in view which

would guarantee the vigour of the girl married after 14? As I said, the fact that a girl is married before she is 14, does not always mean that she will become a mother as soon as she completes 14, or earlier. I could have very well appreciated any practical scheme from the mover which would permanently improve the health of our womanhood.

So, viewing the position as a whole, this enactment is not needed and cannot cure the ills contemplated by the mover. Therefore, I would earnestly appeal to the House to respect the religious sentiments of a minority community and not to trench upon their family life and family conduct, especially when there is no serious social evil involved. The so-called exemption provided in the Bill is a discretionary one and may depend upon the mentality of the officer for the time being who has to sanction the exemption and various other considerations. If such officer happens to be unsympathetic or has no belief in religious rites, exemption may in certain cases be disallowed and that is risky. I would therefore oppose the motion.

Mr. M. Govindan: I support the principle of the Bill. In doing so, I feel that I have to make reference to the speeches made by my friends who belong to the communities which will be directly affected by the Bill.

Sir, their point, as I understood it, is that marriage among them is a sacrament and that therefore any change or alteration made by the Legislature in regard to marriage will prejudicially affect the solemnity of the marriage. May I ask my friends whether when infants are married and *manthrams* are chanted—manthrams such as मम हृदये ते हृदयं, 'Our hearts shall be one', the infants would be able to know the significance of the manthrams they utter? It is clear that the whole sanctity of the ceremony would be lost and it would be reduced to a mere farce, so far as child marriages are concerned.

Mr. M. K. Ananthasiva Aiyar: Are there not people aged 50 who are not able to understand manthrams?

Mr. M. Govindan: That is quite possible.

President: Even at the age of 60 or more, if a person does not know Sanskrit, he cannot understand any manthram.

Mr. M. Govindan: My point is that a boy of twelve, even if he knows Sanskrit, can understand manthrams.

President: There are some vedic manthrams which even Sanskrit scholars find difficult to understand.

Mr. M. Govindan: मम हृदये ते हृदयं, Such simple Sanskrit, anybody who knows Sanskrit can understand,

Mr. G. Narayana Aiyar : May I point out to my honourable friend that what he has just now quoted does not form part of the marriage manthrams?

Mr. M. Govindan : I am quoting from marriage manthram.

Mr. G. Narayana Aiyar : What is his authority to show that?

Mr. M. Govindan : I am quoting Vachaspathi.

President : The passage is from Valsyayana and relates to one of the methods by which Brahmin marriages are performed. The manthram quoted is used by certain classes of Brahmins.

Mr. M. Govindan : I heard my friend Mr. Narayana Aiyar quoting from a smriti. May I quote from Manu?

President : That would be rather dangerous; because if the honourable member would quote the whole of Manu he would find that he should support child marriage.

Mr M. Govindan : Manu Chapter IX Verse 90.

ത്രീണി വർഷാണ്യുദീക്ഷേത കുമാര്യൃതുമതീ സതീ ।
ഊർദ്ധ്വം തു കാലാദേതസ്മാദ്വിന്ദേത സദൃശം പതിം ॥

What is said is that a girl should wait for three years after attaining puberty, and then choose and marry a suitable husband. That, I submit, would be very much like the provisions of the present Bill.

Mr. V. Subba Aiyar : May I ask my honourable friend whether the passage that he quoted from Manu does not relate to girls who had lost their father and mother and therefore could not be given in marriage by the parents.

President : There may be very legitimate arguments to support the Bill; but the particular passage relates to the case of a girl who having neither father nor mother or other person entitled to give her away in marriage, is asked to wait for a certain period after attaining puberty, and then make her own choice. I would once again warn the honourable member, Mr. Govindan, not to quote too much from Manu; because, subsequently, he will find all the arguments in favour of child marriage (*Laughter*).

Mr. M. Govindan : There is another passage in Manu which says that a man of thirty must marry a girl of twelve. The word used is *Dwadasa Varshakeem*: my idea is that it is a mistake in the edition and it ought to be *Dwi dasa* and not *dwadasa*.

President : That is rather doubtful, because the metre will be affected.

Mr. M. Govindan I have looked into the matter carefully. The metre will not be affected. It is not Manu alone that has made this injunction. In Mahabharatha Anusasana Parva Chapter 40, *it* is stated

त्रीणि वर्षाण्युदीक्षेत कन्या ऋतुमती सती ।
चतुर्थे त्वथ सम्प्राप्ते स्वयं भर्तारमार्जयेत् ॥

After waiting for three years, the girl must choose her husband in the fourth year.

Mr. V. Sankara Menon : Who says that?

Mr. M. Govindan : Vedavyasa, of course; it is well known that he is the author of the Mahabharatha,

Mr. V. Sankara Menon : Everybody knows that; what I want to know is the name of the hero in the Bharatha who has said that (*Laughter.*)

Mr. M. Govindan: Sir, may I go on without answering that question? (*Laughter.*)

President: The honourable member yielded his place voluntarily.

Mr. M. Govindan : Now, finding the question inconvenient, I propose to go on. (*Laughter.*)

In Vasishta smriti, Chapter VII—

कुमार्यृतुमती त्रिवर्षाण्युपासीतोर्ध्वं त्रिभ्यो वर्षेभ्यः पतिं विन्दत ॥

Whether any emergency of the kind mentioned is the condition precedent to the injunction in the smriti, can be decided by reference to Ayurveda.—Susrutha, the greatest authority on Ayurveda, says—I shall not quote the Sanskrit—that a man of twenty-five should marry a girl of sixteen, and that then alone the children would be healthy and long-lived.

There is also another sloka in Susrutha, which says that if the injunction is violated there will be degeneration of the offspring and the senses will become weaker and not fully developed. If the injunction is violated, the sloka proceeds to say, there will be even abortion. The Ayurveda is accepted as a safe guide in matters of health in a Hindu country like ours. I submit that my friends should concede that for the health of the nation, it is necessary to pass a legislation of this kind.

Another argument of my friend Mr. Subba Aiyar was that there is no need, because after all there is not much of infant marriage in our State. If there is not much of infant marriage, if the evil is not so rampant, and if the people have developed to such an extent that they would adopt post-puberty marriages voluntarily, that is all the more reason why a few violations of this that we notice here and there and which may perhaps be repugnant to the sense of the community, be removed by this legislation.

[Mr. M. Govindan.]

Another argument that strikes me is this. Travancore is a small place compared to the rest of India. The community which follows this custom is spread all over India. It so happenes that the progressive sense of the leaders of the community elsewhere has passed a similar piece of legislation prohibiting the system of infant marriages. Now, let us not incur the odium of those who have taken a lead in this matter and let our country be not a rendezvous for the people who fly from British India to conduct infant marriages here.

Mr. V. Subba Aiyar: Sir, he refers to people coming and going back. I do not know whether it is to perform the marriage that these men come and go. Even then it is an offence.

Mr. M Govindan: Yes, it is an offence. But there are many people who take shelter here for the purpose. The fact is that it has come to my personal knowledge that persons come from outside because conditions elsewhere are not congenial to infant marriages and such marriages are not prohibited by Travancore Statute.

I submit that, everything considered, we should make ourselves strong at least to follow British India in this matter. Sir, there are many matters in which Travancore has led, as for example in the case of legislation regarding the Marumakkathayis, where our State had led and British India had followed. I strongly advise my friends to withdraw their objections.

Mr. V. Subba Aiyar: Was there not representation from the commuuities concerned?

Mr. M. Govindan: Yes, there was representation from communities concerned. I grant that the two members who are here and who have spoken, have spoken against it. What I say is that the consideration which should weigh with us is that this piece of legislation should be enacted to bring our laws into harmony with the rest of India. After all, is it possible for us to get isolated and remain in a corner? We form part of India. The community is the same throughout India. We have to fall into line with other parts of India.

Mr. M. K. Ananthasiva Aiyar: Are we not governed by our Highness?

Mr. M. Govindan: My loyalty to the Sovereign is not below that of my friend. What I submit is only this. When legislation is such an innocuous thing, when everybody feels that there is nothing revolutionary in this piece of legislation why not add it to our law? I hope that my pleading will serve to persuade my friends to withraw their objections.

Mr. Thomas Chandy Mukkadan : സർ, ഈ ബില്ലിനോടു യോജിക്കുവാൻ ഒരു പ്രകാരത്തിലും എനിക്കു നിവൃത്തിയില്ലാത്തതിനാൽ ഞാൻ ഇതിനെ എതിർക്കുകയത്രേ ചെയ്യുന്നതു്. ലോകജീവിതത്തിൽ ഏററവും പരിപാവനതയും സന്മാർഗ്ഗനിഷ്ഠയും നിലകൊള്ളുന്നതു് വൈവാഹിക ജീവിതത്തിലത്രേ. അതിലേയ്ക്കു് ശരിയായിട്ടുള്ളതും ശക്തിമത്തുമായ നിയമങ്ങൾ മതസിദ്ധാന്തപ്രകാരം നിലവിലുണ്ടു്. ഞാനുൾപ്പെട്ട കത്തോലിക്കാ സമുദായത്തെ സംബന്ധിച്ചിടത്തോളം വിവാഹം എന്നു പറയുന്നതു് പരമപരിശുദ്ധമായ ഒരു സേക്രമെൻറാണു്. അവിടെ അനിഷേദ്ധ്യമാംവണ്ണം വിവാഹപ്രായത്തെ കുറിക്കുന്ന നിയമങ്ങൾ സ്വീകരിക്കപ്പെട്ടിട്ടുണ്ടു്. പക്ഷേ കാലദേശാവസ്ഥകൾക്കനുരൂപമായി മതാദ്ധ്യക്ഷന്മാർ വിവാഹപ്രായത്തെ മാററുകയും ചെയ്യുന്നുണ്ടു്. ലോകത്തിൻെറ ഏതു ഭാഗത്തുമുള്ള മററു ഏതു് മതവിഭാഗത്തേക്കാളും മതാത്മകമായ നിഷ്ഠയോടുകൂടി വിവാഹത്തെ സംബന്ധിച്ച നിയമങ്ങൾ കത്തോലിക്കാ സഭയിൽ ഉണ്ടെന്നിരുന്നാലും വിവാഹം കഴിക്കുന്നതിനു വൈദികന്മാരുടെ സമക്ഷത്തിൽ സമ്മതിക്കപ്പെട്ട യുവതീയുവാക്കന്മാർ ഹാജരായി മതസിദ്ധാന്തപ്രകാരമുള്ള കർമ്മങ്ങൾ കൂടാതെതന്നെ അവർ വിവാഹം ചെയ്തിരുന്നാലും, മതാദ്ധ്യക്ഷന്മാരുടെ അന്വേഷണത്തിൽ അവർ പരസ്പരം ദാമ്പത്യജീവിതത്തിൽ പ്രവേശിക്കുന്നതിനുള്ള നൈസർഗ്ഗികമായ പ്രേമത്താൽ യോജിക്കപ്പെട്ടവരാണ് എന്നു ബോദ്ധ്യപ്പെട്ടാൽ, നിയമപ്രകാരം അതു സാധൂകരിപ്പിക്കാൻ പാടില്ലെന്നിരുന്നാലും, അതു സാധൂകരിച്ചു കൊടുക്കുന്ന പതിവുണ്ടു്. സന്മാർഗ്ഗജീവിതത്തിനും സദാചാരപാലനത്തിനും പ്രണയബന്ധരായ സ്ത്രീപുരുഷന്മാർ ഉഭയസമ്മതപ്രകാരം വിവാഹത്തിനു കുറിക്കുന്ന സമയത്തിനു നിയമം 'വഴങ്ങിക്കൊടുക്കണമെന്നാണു് ഇതിൽനിന്നും വ്യക്തമാകുന്നതു്. ഒന്നുകൂടി ഗാഢമായി ആലോചിക്കുമ്പോൾ ഇപ്രകാരം ഒരു നിയമം നടപ്പാക്കുന്നതു് ഓരോ സമുദായത്തിലും നില ഉറച്ചിട്ടുള്ളതും മതസംബന്ധമായി മാററപ്പെട്ടാൻ പാടില്ലെന്നു വിശ്വസിക്കപ്പെടുന്നതുമായ മൂലപ്രമാണങ്ങളിലേക്കു കൈകടത്തുകയല്ലേ എന്നുള്ള ഭയവും ഇല്ലാതില്ല. അതുകൊണ്ടു് ഈ ബില്ലിൻെറ തത്വത്തെപ്പററി ആലോചിക്കുമ്പോൾ ഇതിനെ ശക്തിയായി എതിർക്കാതെ നിവൃത്തിയില്ല.

പരിഷ്കൃതമായ നില, വിദ്യാഭ്യാസത്തിൻെറ ഉയർച്ച ഇവയിൽ ഇതര രാജ്യങ്ങളുടെ മുന്നണിയിൽ നിൽക്കുന്ന തിരുവിതാംകൂറിൽ ഈ അവസരത്തിൽ ഇതുപോലുള്ള ഒരു നിയമം ഉണ്ടാക്കേണ്ട ആവശ്യമില്ല.

[Mr. Thomas Chandy Mukkadan.]

ആ ആവശ്യത്തെപ്പററി ചിന്തിക്കുമ്പോൾ നിലവിലിരിക്കുന്ന ദൂഷ്യത്തെ പരിഹരിക്കുന്നതിനേക്കാൾ കാണ്മാൻ പാടില്ലാത്ത ഭാവിയിലുള്ള ദൂഷ്യങ്ങളെ ദർശിക്കയത്രേ ഞാൻ ചെയ്യുന്നതു്. മതാചാരങ്ങൾക്കു വിധേയമായി ശൈശവവിവാഹം ചില സമുദായങ്ങളിൽ നടപ്പുണ്ടെങ്കിലും, ബില്ലിൽ പറയുന്നപ്രകാരമോ ബില്ലിൻെറ അവതാരകൻ ചൂണ്ടിക്കാണിച്ചതുപോലെയോ ഉള്ള ദോഷങ്ങളൊന്നും ഇവിടെ വരുന്നില്ലെന്നു പറഞ്ഞതു പരമാർത്ഥമായിരിക്കെ, കാണാൻ പാടില്ലാത്ത ആരോഗ്യസംബന്ധമായോ മററു പ്രകാരത്തിലോ ഉള്ള ദോഷങ്ങൾ ഉണ്ടെന്നും അവയെ പരിഹരിക്കുന്നതിന് നിയമം ആവശ്യമാണെന്നും മററു സ്ഥലങ്ങളിൽ ഇത്തരം നിയമം ഉണ്ടെന്നും പറഞ്ഞു് ഇവിടെ ഒരു നിയമം പാസാക്കിയാൽ തിരുവിതാംകൂർ മററു രാജ്യങ്ങളുടെ ദൃഷ്ടിയിൽ ഒരു പരിഹാസപാത്രമായിത്തീരും. മതസംബന്ധമായ കാരണങ്ങളെവിട്ടു് ഒരു തിരുവിതാംകൂർകാരൻ എന്ന നിലയിലും ഞാൻ ഈ ബില്ലിനെ എതിർക്കുകയത്രെ ചെയ്യുന്നതു്.

മി: എം. ഗോവിന്ദൻ പ്രസ്താവിച്ച നിയമപ്രകാരം നോക്കുകയാണെങ്കിൽ ഒരു യുവതി ഋതുവായി മൂന്നുകൊല്ലം കഴിയുമ്പോൾ വിവാഹത്തിൽ പ്രവേശിക്കണം എന്നു കാണുന്നു. ഒരു സ്ത്രീ എപ്പോൾ ഋതുവാകുമെന്നു യാതൊരുത്തർക്കും പറയാൻ കഴികയില്ല. ഋതുവാകയെന്നുള്ളതു് സാധാരണ ഇന്നസമയത്തു സംഭവിക്കുന്നു എന്നു വൈദ്യശാസ്ത്രങ്ങൾ ഉൽഘോഷിക്കുന്നു. പക്ഷെ, ശീതോഷ്ണസ്ഥിതിയനുസരിച്ചു് ഓരോ സ്ഥലത്തും വ്യത്യസ്തമായിട്ടാണ് ഇതു് സംഭവിക്കുന്നതു്. അങ്ങിനെ നോക്കുമ്പോൾ ൧൦ വയസ്സിൽ തന്നെ പെൺകുട്ടികളും ഋതുവായതായി ഉദാഹരണങ്ങൾ ധാരാളമുണ്ടു്. ചില പത്രങ്ങളിൽ കാണുന്ന പ്രസ്താവനകൾ വിശ്വസിക്കാമെങ്കിൽ പത്തു വയസ്സിൽ പ്രസവിച്ചതായി ദൃഷ്ടാന്തങ്ങൾ ഉണ്ടു്. ശീതോഷ്ണസ്ഥിതിയുടെ കൂടുതൽകുറവുകൊണ്ടു് എന്തെല്ലാം സംഭവിക്കുമെന്നു അറിയാൻ നിവൃത്തിയില്ല. മി: ഗോവിന്ദൻ പ്രസ്താവിച്ചതുപോലെ മനുവിൻെറ നിയമപ്രകാരം ഇത്ര വയസ്സിൽ വിവാഹം കഴിയണം എന്നും നിശ്ചയിക്കുവാൻ നിവൃത്തിയില്ല. സാന്മാർഗ്ഗികനിയമപ്രകാരവും മതസിദ്ധാന്തങ്ങളെ അവലംബിച്ചും നാം ചിന്തിക്കുകയാണെങ്കിൽ വിവാഹത്തിനു പുതിയ നിയമം അത്യാവശ്യമാണ്. ഋതുകാലത്തേനോ

ക്കിട്ടാണ് മതസിദ്ധാന്തങ്ങൾ വിവാഹപ്രായത്തെ കുറിക്കുന്നതു്. ഋതുവായിക്കഴിഞ്ഞാൽ ഒരു സ്ത്രീ ഒരു പുരുഷനെ വരിക്കാൻ മോഹിക്കുന്നു. അക്കാലത്തു വിവാഹം അനുവദിക്കപ്പെടേണ്ടതാണ്. അന്നു് വിവാഹം തടയപ്പെടുന്ന പക്ഷം അതു് രോഗഹേതുകമായി ഭവിക്കും. മാത്രമല്ല അസാന്മാർഗ്ഗികനടപടികൾക്കും അതു് ഒരു പ്രേരകമായി തീരാൻ ഇടയുണ്ടു്. തിരുവിതാംകൂറിലെ വിവാഹം ചെയ്യാത്ത പല സ്ത്രീകളുടേയും ശരീരപരിശോധന ചെയ്താൽ. അനേകം സ്ത്രീകൾ രോഗികളായിരിക്കുന്നതു് കാണാൻ കഴിയും. അതിനുള്ള പ്രധാന കാരണം ഇന്നതാണെന്നു പലക്കും ബോദ്ധ്യപ്പെട്ടിട്ടുണ്ടു്.

ഇങ്ങനെ നോക്കുമ്പോൾ ശരിയായ പ്രായത്തിൽ വിവാഹം നടത്താതിരുന്നാൽ പാശ്ചാത്യദേശങ്ങളിൽ ഇന്നനുഭവിച്ചുവരുന്ന പലവിധ ദുരവസ്ഥകളേയും തിരുവിതാംകൂർ അഭിമുഖീകരിക്കേണ്ടിവരും. ഇൻഡ്യയിലെ വിശേഷിച്ചും തിരുവിതാംകൂറിലെ സ്ത്രീകൾ ചാരിത്രത്തിലും സന്മാർഗ്ഗത്തിലും മെച്ചമുള്ളവരായി കാണപ്പെടുന്നതിനു് പ്രധാനകാരണം യഥാകാലം നടത്തപ്പെടുന്ന വിവാഹം ആണ്. ഹിന്ദുമതശാസ്ത്രങ്ങളും ക്രിസ്തീയ മതസിദ്ധാന്തങ്ങളും അനുസരിച്ചുള്ള ആചാരങ്ങൾ അനിഷേധ്യങ്ങളാണ്. അവകളിൽ ഒരു നിയമസമിതി ഇപ്പോൾ കൈകടത്തേണ്ട ആവശ്യമില്ല. മതാത്മകമായ മനോവേദനയെ ഉളവാക്കുന്നതും തിരുവിതാംകൂറിൽ ഇന്നത്തെ നിലയ്ക്കു ആവശ്യമില്ലാത്തതെന്നു പ്രഥമദൃഷ്ടിയിൽ കാണാവുന്നതും ആയ ഈ മാതിരിയുള്ള നിയമങ്ങൾ എതിർക്കപ്പെടേണ്ടവയാകുന്നു.

Mr. K. K. Kuruvilla: Sir, I rise to support the Bill. In attempting to do that, I do not propose to quote from scriptures as I cannot do as my friend Mr. Govindan has done.

Mr. Kochikal P. Balakrishnan Tampi: I rise to a point of order. Is it parliamentary to refer to the other person who quotes scriptures?

President: I do not think that any such implication was in Mr. Kuruvilla's mind.

Mr. K. K. Kuruvilla: Sir, I did not refer to misquotation.

Looking at the question from the commonsense point of view, I personally feel that it is atrocious to marry a girl at the age of 12 or less. I feel that a girl at that age should sing, should play with other girls and should study. I am surprised to think that my honourable friend wants a girl at that age to think of a man as a husband. I am sorry for all girls at that age to have to think of men in that way.

[Mr. K. K. Kuruvilla.]

I was surprised to hear my Christian friend speak against the Bill, and express the fear that many men and women may remain unmarried. One of the things I appreciate most, though I belong to another denomination, is the large number of unmarried men and women in the Roman Catholic church who have devoted their lives to public service; and in point of intellect and health I do not think they are inferior to others. I will be sorry if I find a girl's attention drawn away from play, from music and from her study at this age.

Mr. G. Narayana Aiyar: May I know whether the member is aware of any provision in the Hindu scriptures for the marriage of girls before they reach a certain age?

Mr. K. K. Kuruvilla: Sir, I am not an expert in Hindu scriptures and therefore I cannot answer the question.

The question has to be considered from the economic point of view also. One of the great problems for solution in any country as well as in Travancore is the question of population. The earlier the marriages are celebrated, I think the larger will be the population. Instead of resorting to the artificial methods of restriction, I would much rather enforce birth control by the postponement of marriages. It has been suggested that there will be immorality if late marriages take place. I ask whether that is not immorality even if we insist on early marriages. It is due to the vitiated instincts and tastes of individuals that there are aberrations in sex. It does not depend upon early marriages. I therefore submit, Sir, that even from an economic point of view, late marriages are conducive to economic development as it will tend to the restriction of population.

As regards religious sentiments, I would submit that in a truly democratic country minorities should be taken along with the majority so that there might be ultimate harmony. There is a provision in the Bill providing for the religious sentiments of the people concerned. In the last clause of the Bill it is provided that any particular individual who wants an exemption in this matter may ask for it and the marriage may be allowed. I do not agree therefore that this Bill really affects the religious sentiments of communities or of individuals.

The last point I have to say is that in all cases, when 90 per cent of the people entirely agree to a piece of legislation, that is the exact time when the legislation should be passed. We cannot expect every individual to support any piece of legislation. But if we have the sympathy of a large majority of people for it, then is the

time for the legislation to be passed, while giving at the same time due respect to the sentiments of the minorities. I therefore very heartily support the Bill.

Mr. Kochikal P. Balakrishnan Tampi: Sir, I also support the motion. But when such a very eminent member as Mr. Subba Aiyar opposes it, it is the duty of the House to examine very carefully the aspects presented before the House. I can understand that the great lawyer as he is, has spoken as the representative of the body who has sent him to present before the House the orthodox view, if there is such a view in the country. I am inclined to think, I mean no disparagement to any of the honourable members of this House, that most of those who have opposed the measure have done so with their tongues in their cheek. The legislation has been passed in British India. In spite of the original opposition, things have quietened down there and I wish and I hope that there are indications of a brighter generation of Brahmin young men and young women in British India. I also hope that this legislation will tend to improve from an eugenic point of view the racial stock. As my friend Mr. Kuruvilla hinted, it is not so much for improving the stock either, it is not so much purely from the point of view of physiology or eugenics that we urge this legislation, because every man and every woman should have the period of adolescence left unhampered by considerations of domestic responsibilities of a husband or wife. I do not at all refer to the physiological aspect.

I am always in sympathy with several of my friends who think of the Parasara Smriti which has provided them with excellent cooks, excellent bathers of children and excellent housewives, but who are certainly deprived of those companionable wives which some of us, non-Brahmins, can boast of. Therefore, just to give them the proper training, so that in the India of to-morrow they may play their true part in social life also, it is highly essential that young women should be given the necessary training before they are burdened with the responsibilities of a married life.

Mr. V. Subba Aiyar: Does the member know that girls who have been married before puberty were competent to manage household affairs?

Mr. Kochikal P. Balakrishnan Tampi: I am afraid I have not made myself clear. My point was that they are much too good housekeepers and housewives and that they are less companionable.

As Mr. Govindan suggested, when the greater number of them reside in British India and when they have a similar legislation, there is no particular reason why their relations on this side of the Ghats should take protection behind the Parasara Smriti,

Mr. G. Narayana Aiyar: Does the honourable member know that in British India the legislation is respected more in its breach than in the observance?

Mr. Kochikal P. Balakrishnan Tampi: As a dutiful member of an Indian State Legislature I do not want to speak disparagingly of British Indian legislation.

Another aspect is this. The Malayali Brahmins, the Nambudiris, who have also religious feelings, are performing post-puberty marriages and when that is the case, I do not see any reason why our Smartha friends alone should oppose this piece of legislation.

Mr. Kottur Kunjukrishna Pillai: May I know whether the honourable member is aware that the Culine Brahmins of Bengal are also accustomed to the post-puberty marriages?

Mr. Kochikal P. Balakrishnan Tampi: I am glad my friend has referred to the existence of the postpuberty marriages among a section of the Brahmins in Bengal. That is one more argument why the Tamil Brahmins should follow the example of the most enlightened Brahmins in the whole of India who are nearer the Ganges and the Himalayas than the Smartha Brahmins here.

President: They are not supposed by the rest of the Brahmins to belong to their community at all and they are not allowed to interdine with any other Brahmins in Northern India.

Mr. Kochikal P. Balakrishnan Tampi: I am not despairing of the Tamil Brahmins either. They are the most wonderfully accomplished people on earth.

President: Order, order. The more we go into details as between sub-communities, the more troubles and controversies may arise. The comparison between the Malayala Brahmin and the Smartha Brahmin does not really arise, because the former is not governed by the Hindu law on that matter but by his own *acharam* laid down under the guidance of certain religious preceptors. So also the Culine Barhmins in Bengal are governed by their *kulachara*. That is analogous to what is pursued by the Nambudiri Brahmins. To go into these discussions will take us very far afield.

Mr. Kochikal P. Balakrishnan Tampi: I did not want to raise any controversies regarding the comparative precedence of any of the Brahmin classes. All that I say is that the members of that community would be decidedly the better and the happier if this Bill is passed into law.

The House adjourned for lunch at 1 p. m. and re-assembled at 2 p. m.

Mr. Kalloor Narayana Pillai (*Mavelikara and Tiruvalla* cum *Pathanamthitta*) : ഈ ബില്ലിനെ ഞാനും എതിർക്കുന്നു. ഒരു സമുദായത്തെ സംബന്ധിച്ച് ഒരു നിയമം ഉണ്ടാക്കുന്നതു് അതിലുള്ള ഭൂരിപക്ഷം ആളുകളുടേയും അഭിപ്രായമനുസരിച്ചു ആയിരിക്കണം. ഏതു സമുദായത്തിന്റെ ആവശ്യത്തെ അടിസ്ഥാനമാക്കിയാണ് ഈ ബിൽ ഇവിടെ അവതരിപ്പിച്ചിട്ടുള്ളതെന്നാണ് നമുക്കു നോക്കേണ്ടതു്. തിരുവിതാംകൂറിൽ തമിഴ് ബ്രാഹ്മണർ ധാരാളം ഉണ്ട്. അവരുടെയിടയിൽ പെൺകുട്ടികൾക്ക് ഋതുവാകുന്നതിനു മുൻപ് വിവാഹം ചെയ്യിക്കണമെന്നുള്ളതു് നിർബന്ധമായ ഒരു വിഷയമാണ്. അങ്ങനെ ഋതുവാകുന്നതിനുമുമ്പ് വിവാഹം വേണമെന്നു നിശ്ചയിച്ചിരിക്കുന്നതുകൊണ്ടു ആ സമുദായത്തിൽ അവിവാഹിതകളായ യുവതികൾ വളരെ കുറവാണ്. എന്നാൽ മരുമക്കത്തായികളുടെ നില നോക്കുകയാണെങ്കിൽ ഇത്ര വയസ്സിനുമുൻപ് വിവാഹം ചെയ്യണമെന്ന ഒരു നിർബന്ധം ഇല്ലാതിരിക്കുന്നതുകൊണ്ട് ആ സമുദായത്തിൽ അവിവാഹിതകളായ യുവതികൾ ധാരാളം ഉണ്ട്. ക്രിസ്ത്യൻ സമുദായത്തെ പരിശോധിക്കുന്നപക്ഷം അവരുടെയിടയിൽ അവിവാഹിതകളായ യുവതികൾ ധാരാളം ഉണ്ടെന്നുകാണാവുന്നതാണ്. തമിഴ് ബ്രാഹ്മണരുടെയിടയിൽ പ്യൂബർട്ടിക്കു മുൻപ് വിവാഹം നടത്തണമെന്നു വ്യവസ്ഥയുണ്ടെങ്കിലും അവരുടെ ഋതുശാന്തി (നെപ്ഷ്യൽ) കഴിയുന്നതിനു മുൻപ് വധൂവരന്മാർ തമ്മിൽ ദർശിക്കാൻ പാടില്ലാ എന്നു വ്യവസ്ഥ ചെയ്തിട്ടുണ്ട്. അതുകൊണ്ട് പതിനാലു വയസ്സിനു മുൻപ് വിവാഹം നടന്നിരുന്നാലും വധൂവരന്മാരുടെ ചേർച്ച അവർക്കു പ്രായമായതിനുശേഷമെ നടക്കുകയുള്ളു. മലയാള ബ്രാഹ്മണരുടേയും തമിഴ് ബ്രാഹ്മണരുടേയും ആചാരങ്ങൾക്കു വളരെ വ്യത്യാസമുണ്ട്. പ്യൂബർട്ടി ആകുന്നതിനു മുൻപ് വിവാഹം കഴിക്കാൻ സാധിച്ചില്ലെങ്കിൽ വിവാഹകാലത്തു് അതിലേക്കു പ്രായശ്ചിത്തം നടത്തിയാൽ മതിയാകും.

സ്കൂൾ ഫൈനൽ ക്ലാസിൽ പഠിച്ചുകൊണ്ടിരിക്കുന്ന ഒരു വിദ്യാർത്ഥിയെ കണ്ടു് നല്ലനിലയിൽ വരുന്ന ഒരാളാണെന്നു കരുതി അയാളെക്കൊണ്ട് തന്റെ മകളെ വിവാഹം ചെയ്യിക്കാൻ ഉദ്ദേശിക്കുന്ന ഒരു പിതാവിനു് ഈ ബിൽ വളരെ തടസ്സമായിട്ടാണ് കാണുന്നതു്. പന്ത്രണ്ടു വയസായ ഒരു നായർ പെൺകുട്ടിയെ പതു വയസ്സായ ഒരു യുവാവു വിവാഹം ചെയ്തശേഷം അയാളെ ഇംഗ്ലണ്ടിലേക്കയച്ചു് ഐ. സി. എസ്. നു പഠിപ്പിച്ചു് അതു പാസായി തിരിയെ വന്നു് ഇപ്പോൾ അവർ ഉദ്യോഗസ്ഥന്മാരായിരിക്കുന്നുണ്ട്.

[Mr. Kalloor Narayana Pillai]

൬൦ വയസ്സ് പ്രായമുള്ള ഒരുത്തന് തന്റെ പെൺകുട്ടിയെ താൻ മരിക്കുന്നതിനു മുൻപു വിവാഹം ചെയ്തു കാണണമെന്നു് വിചാരിക്കുകയാണെങ്കിൽ ഈ ബില്ലുകൊണ്ടു് അതു സാധിക്കാതെയാണു വരുന്നതു്. അതുകൊണ്ടു് ഇത്ര വയസ്സിനുമേൽ മാത്രമേ വിവാഹം നടത്താൻ പാടുള്ളൂ എന്നു് ഒരു വ്യവസ്ഥ ഉണ്ടാക്കുകയാണെങ്കിൽ ഇത്ര വയസ്സ് കഴിഞ്ഞ അവിവാഹിതകളായ സ്ത്രീകളെ ഈ രാജ്യത്തു കാണാൻ പാടില്ല എന്നു ഒരു വ്യവസ്ഥയും കൂടി ഉണ്ടാക്കേണ്ടിയിരിക്കുന്നു. അതു് നടക്കാത്ത ഒരു സംഗതിയാണു്.

ശൈശവവിവാഹംകൊണ്ടു് ആരോഗ്യത്തിനു ദോഷം വരുമെന്നാണു് ചിലർ പറയുന്നതു്. പ്യൂബർട്ടി അറെയിൻ ചെയ്യുന്നതിനു മുൻപു വിവാഹം നടത്തണമെന്നു നിർബന്ധമുള്ള സമുദായത്തിൽപ്പെട്ട പലരും നല്ല ആരോഗ്യമുള്ളവരും നല്ല ബുദ്ധിമാന്മാരുമായിട്ടുതന്നെയാണു കാണുന്നതു്. അതുകൊണ്ടു് ആവക ദൂഷ്യങ്ങൾ ഇത്തരം വിവാഹംകൊണ്ടുണ്ടാകുന്ന ദൂഷ്യങ്ങളാണെന്നു പറയുവാൻ നിവൃത്തിയില്ല. ശൈശവവിവാഹനിരോധനബിൽ മുൻപു് ഇല്ലാതിരുന്നതാണല്ലോ. നമ്മുടെ പൂർവികന്മാരുടെ ആരോഗ്യത്തെ നോക്കുമ്പോൾ നാം എത്ര ക്ഷീണിച്ച ശരീരത്തോടു കൂടിയവരായിട്ടാണു് കാണപ്പെടുന്നതു്. ഈ മാതിരിയുള്ള പ്രതിബന്ധങ്ങൾ ഉണ്ടാക്കിവെയ്ക്കുന്നതു് ആ സമുദായത്തിനു വളരെ ദോഷകരമാണെന്നാണു് എന്റെ അഭിപ്രായം.

മന്ത്രങ്ങളുടെ അർത്ഥം മനസ്സിലാകത്തക്ക പ്രായമാകുന്നതിനുമുൻപു വിവാഹം നടത്തിയാൽ മന്ത്രത്തിന്റെ ശക്തി കുട്ടികൾക്കു മനസ്സിലാവുകയില്ല എന്നു പറയുന്നു. മതസംബന്ധമായ പൂജ, പുഷ്പാഞ്ജലി, ലളിതാസഹസ്രനാമം, മുതലായവ നാം ഇപ്പോൾ നടത്തിച്ചുവരുന്നതു് അവ എന്താണെന്നു കേൾക്കാതെയും മനസ്സിലാക്കാതെയും ആണല്ലോ. ആ വിഷയത്തിൽ നമ്മുടെ വിശ്വാസംമാത്രമേ നോക്കേണ്ടതുള്ളൂ. മന്ത്രങ്ങളുടെ അർത്ഥം അത്ര എളുപ്പത്തിൽ ഗ്രഹിക്കത്തക്ക ഒന്നല്ല. ശ്ലോകങ്ങളോ മറ്റോ ആണെങ്കിൽ ചിലതു മനസ്സിലാക്കുവാൻ സാധിക്കുമായിരിക്കാം. അതുകൊണ്ടു് മന്ത്രങ്ങളുടെ അർത്ഥം ഗ്രഹിച്ചില്ലാ എന്നുള്ളതുകൊണ്ടു് യാതൊരു ദൂഷ്യവുമുണ്ടാകാനില്ല. പന്ത്രണ്ടു വയസ്സിൽ വിവാഹം കഴിച്ചിട്ടു് ഐ. സി. എസ്. നു് ഇംഗ്ലണ്ടിൽ അയച്ചു പഠിപ്പിച്ചു് വരുത്തിയിട്ടുള്ള രണ്ടു മൂന്നു സ്നേഹിതന്മാരെ എനിക്കറിയാം. അങ്ങനെ ചെയ്യുന്നതിനു സൗകര്യപ്പെടാതിരിക്കത്തക്ക സന്ദർഭമുണ്ടാക്കിവെയ്ക്കുന്നതു സമുദായത്തിന്റെ നടപ്പിനു വളരെ പ്രതിബന്ധമായി തീരുന്നതാണു്. ഇപ്പോൾ നടപ്പിലിരിക്കുന്ന ആചാരങ്ങളെ ഭേദപ്പെടുത്തി അതിൽ വിശ്വസിച്ചിരി

ക്കുന്നവരുടെ മനസ്സിനെ വ്രണപ്പെടുത്തുന്ന ഒരു ബിൽ പാസാക്കാൻ പാടില്ലെന്നാണ് എന്റെ അഭിപ്രായം.

Mr. T. Mahomed Ismail: (*Nominated*): Sir, I wish to speak a few words on the subject. I do not wish either to support or oppose the Bill under discussion. But, in doing so I must make my position clear. I do sympathise with the members who opposed this Bill. Their principle is that they should not be asked to follow a compulsory law against their religious sentiments. They do not want it and I will be the last person to impose a law on persons who do not want it. At the same time it is clear that some of the communities do want a Bill of this kind. By all means they must be given the law they want. From a perusal of the Bill as a whole, I think the Bill is intended to satisfy both sets of persons and in pursuance of that, the necessary provision is made in Section 11 by which the Government is given the power to exempt any marriage in Travancore from the operation of this Act, on application made in that behalf by the legal guardian of the bride or bridegroom whoever is a child. This is a discretionary power and this can be availed of at any time by the party who wants it. Therefore, those who oppose it can legitimately be safe under this provision even if this bill becomes law. As far as Muslims are concerned their position is very clear. Islam does not compel us to perform marriage before 14 and 18. At the same time it does not prohibit us from doing so. So if we want to effect a marriage, we are permitted to do so under clause 11 of the Bill. The provision is only an enabling one. If clause 11 is not satisfactory to us, of course we may have to oppose the Bill. Though the Act does not affect the principles of Islamic law on the subject, still I do not wish to be a party to a piece of legislation which affects the religious principles and sentiments of certain communities who oppose it on that ground. Therefore we, the Muslim members, have decided to be neutral in this matter.

Mr. T. Krishna Pillai: Sir, I also oppose the Bill. At first, I never wanted to participate in the discussion of this Bill, but after hearing the instructive and convincing arguments of our revered friend, Mr. Subba Aiyar, I felt that I would be failing in my duty if I do not oppose this Bill. As has been adverted to by Mr. Narayana Aiyar, the mover of the Bill was actuated by the main motive namely, to eradicate the social evil which she believes to exist in the absence of such a measure, and which tends to undermine the health and vigour of future generations. Sir, from my experience of the Brahmin families both within and without Travancore who have contracted pre-puberty marriages, I know as a matter of fact, that parents as well as their children are keeping robust health and are superior in intelligence than the families

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who have contracted post-puberty marriages. I may even go to the extent of confining myself to this House itself. Sir, the honorable members of this House who belong to the Brahmin community offer occular proof, indeed, of the hollowness of this sort of argument by the supporters of this Bill; for, Sir, who can doubt or question the youthful enthusiasm, the vigour and health, as well as the intellectual stamina of the Brahmin gentlemen who are happily with us in this House?.

The honourable member Mr. Balakrishnan Tampi was saying that their families are lacking in companionable wives. If by the word companionability my friend means the existence of a happy, agreeable connubial relationship between the husband and the wife born out of chastity of the wife and fidelity of the husband, then I must say that the families who have contracted pre-puberty marriages are not at all lacking in 'companionableness', and I may, Sir, even go to the extent of saying that such a state of life is woefully lacking in families who have contracted post-puberty marriages. The honourable member Mr. Govindan was saying that we must take the lead as we have done in so many social legislations and that therefore we must naturally adopt this reform because it has been passed in British India. Sir, I am for crying halt to the sickening imitation of Acts and Regulations from British India. Here, let us take the lead in not adopting what British India has done. After all, we do not find any necessity for such a measure nor a clear case of necessity has been proved by the sponsors of the Bill; it would, indeed be a legislative absurdity to enact such a measure and disfigure our statute book simply because our brethren in British India enacted such a measure. With these words I oppose the Bill.

Mr. V. Sankara Menon: I too oppose the Bill both on principle and on a consideration of the merits. In the first place, I do not understand the necessity for a Bill when that necessity is not explained to me sufficiently by anybody who wants to pass this Bill. Though mention of a particular community is not made in the Bill, it is evident that it affects the Brahmin community to a large extent, and I find that responsible and influential members of that community are not only against the passing of this Bill but they even suggest that this Bill has been moved with a purpose to check the prosperity and advancement of that community. I understand from certain influential members of that community that it has been moved with a purpose not to raise the status of that community but to lower the condition of the community from its present stage. Anyhow, under the present circumstances, I do not think that it is necessary to pass such a Bill when the persons to be benefited by the same are aganist it.

In regard to the merits also, one or two grounds mentioned here for the passing of this Bill appear to be quite unsatisfactory. In the first place, it is said that for the health of the future generation, the passing of a Bill of this nature is quite essential. I do not think that a community which has thrived well so long, can in any way be handicapped by the absence of a legislation like this. I think that the passing of this Bill will in no way improve the health and the physical or economic condition of any community.

Another ground advanced is that we will be going backward, if we do not pass this Bill in the eyes of the other parts of the world. What I beg to submit is that the passing of this Bill is not the criterion of the prosperity of the country. We are more advanced than many other countries in many respects. The passing of a Bill against the will of the Brahmin community as a whole will not help to raise the position of our country. On these grounds I oppose the Bill.

Mr. James Fletcher : Sir, the Child Marriage Restraint Bill only restrains or prohibits marriages of girls below the age of 14 and of boys below the age of 18. Child marriage has been, or is even now prevalent not only among one community but among most of the communities living in Travancore. We know of child marriages among Muslims among Christians, among other Hindus and among the Brahmins; so much so that it does not affect one community alone; but it affects many communities. Of all those communities, only one community raises objection to this Bill. So far as that one community is concerned, if it wants the right to continue its old customs, the legislature has been careful enough to allow the necessary exemption when required. Section 11 of the Bill grants them necessary exemption. Considering the matter from the point of merits, I must say that this bill is highly necessary.

From the point of view of the health of the citizens, legislation of this kind is a necessity. Though some of my friends said that the community which follows the custom of marriage before puberty keeps up the best health and strength I may say that if this advantageous Bill, *viz*, marriage after the age of 14, is introduced, I am sure, they will be far better than what they now are. You cannot say that the custom alone is responsible to the strength and intelligence which we see among the members of that particular community. I am sure that if this reform is introduced, it would be very advantageous to them. For one thing, you may know, that whenever marriage is complusory before the age of 12, the girl is unable to continue her studies after that age or to continue other intellectual accomplishments and she is soon sent to a husband to whom she becomes a servant or a slave. In very large instances

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she becomes overburdened with many responsibilities. Otherwise she could have continued, her studies and her body would have well developed. As a result of early marriage, all these things become restrained. All sorts of responsibilities are thrown on her. The poor girl child groans under all sorts of responsibilities.

Mr. Thomas Chandy Mukkadan: ചെറുപ്പത്തിലെ കല്യാണംകഴിച്ചാൽ ശരീരം തടിക്കുമെന്നുള്ള വിവരം അറിയാമോ?

Mr. James Fletcher: I am not aware of that. My idea is that early marriage is injurious to her physical condition.

Secondly, it is said, that just because marriage has not been conducted before puberty, the number of women who are unmarried becomes very large in certain communities. Some of my honourable friends referred to that and said that other communities also should adopt the post-puberty system. Surely not. The fact that a number of women are not married in certain communities is not due to that reason. There are so many other causes that lead to the compulsory maidenhood of women.

Then some other honourable members said that late marriage is a custom which is followed in countries of Europe and so we should not follow the custom. My reply is that whatever is good whether of the East or of the West should be adopted by us. Just because a custom is current elsewhere, we should not say that it is unfit for our country. As a matter of fact, so long as any custom is good, so long as we feel that a custom is useful and advantageous to this country, let us adopt it.

Then it was said, why should there be legislation for this purpose. I may say, that the Brahmin community, at least those who represent the Brahmin community's views, themselves admitted that practically they follow what is stated in the Bill, *viz.* their children or children's children are married after 14. In such cases, when practically this law is followed, why not put it in the form of a bill so that it may be helpful to others and to other communities which have not yet made it a practical issue in their life in their community. Therefore, I would suggest that a legislation is necessary.

With regard to climatic condition, some honourable members said that it compels early marriages. Of course, I would say marriage at an early age is necessary, but what is the age? Is it before 14 or after 14? Our raising the age limit up to 14 itself shows that climatic conditions in India need marriages to be conducted at an early age. In cooler climates marriages are contracted at the age of 25 or 30. But here, we have raised the age only to the limit of 14 so far as girls are concerned. Perhaps a time may come when the age may have to be raised to 16. However, we hav taken only a more considerate view of the matter.

Then with regard to respect for religious sentiments and susceptibilities. Every community's religious sentiments ought to be respected. I am sure, no member of this Council would desire to force this law by the legislature until and unless they are sure that religion does not stand in the way. So far as I have learnt, religion does not stand in the way. When their sisters and brothers on the other side of the Ghats have passed the Bill and when there are inter-marriages between the members of the community in this part of India and the other part of India, religion cannot be said to have stood in the way. If religion stood in the way, surely, a law like this would not have been passed in British India.

The chief party that ought to be consulted in passing this law is the woman herself. The All India Women's Conference supported this Bill. That is a very strong point in favour of passing this Bill. The All India Women's Conference considered all the aspects of the case and came to the conclusion that such a bill is necessary so far as women are concerned, all over India. To those who are very particular to be exempted, there is clear provision for it in the Bill and therefore I would request my friends to support the Bill as it is.

Mr. N. Krishna Aiyar (*Vaikam, Kottayam and Changanacherry* cum *Peermade*): Sir, I strongly oppose this Bill. It seems to be an oppressive piece of social legislation thrust upon a community which does not want it; a legislation against their religious sentiments, tradition and immemorial custom. The community intended to be benefited, if at all, has not come forward, as my honourable friends who opposed the Bill said, for such a piece of legislation. On the other hand, they strongly resent it. It is unfair for any legislature to push on such a legislation which would only harm the interests of those who are intended to be protected. Those who have brought in this Bill and those who are solicitous of the welfare of the community would have done much better if they had consulted beforehand the leaders of the community intended to be protected. Even after knowing the sentiments of a large section of the community with regard to this legislation, it is, as I said, very unfair on the part of the movers of this motion in passing this into law. I fully endorse the views expressed and the arguments advanced by the previous speakers in opposing this Bill. So I do not wish to repeat one by one the arguments put forward by them. But I shall make one or two observations with regard to some points raised by some of the speakers in support of this Bill. Mr. Govindan, and Mr. Fletcher raised the point that this legislation would not only benefit the present generation but the future generations as well. But, Sir, proof of the pudding is in the eating of it. We see as a matter of fact that the members of the community who are the products of this child-marriage

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which has been in practice from years past are not less healthy, less intelligent or less equipped in any standard of life than the members of other communities who have not been following this practice. They certainly stand equal to others in all these factors.

The second argument advanced by Mr. Govindan was that so long as this law has been passed in British India and so long as we do not find our way to enact it here, Travancore would become a rendezvous for law-breakers in British India. It is a misconception. It seems that my honourable friend is not aware of the fact that the law has been suitably amended in British India so as to get a law-breaker in that territory who goes over here to be punished. And, my honourable friend has not been able to point out any specific instance where persons took refuge here after breaking the law there. Such instances, if any, are very rare and there may be one or two exceptions.

Another point raised by my honourable friend Mr. K. K. Kuruvilla was on economic grounds. He said that this legislation would be a check on the growth of population. Sir, the Census Report of 1931 would be the best testimony to prove that the proportionate growth of the population of this community is not at all more than the growth of population of the other communities who practise in the other way. But with particular reference to the Brahmin community I have to say that child marriage is all the more necessary and should be encouraged, because the one great grievance of the community is under-population and unrepresentation. In the light of the recent rules made for the recruitment to public service which are coming into operation, it has become the elemental necessity of the Brahmin community to increase their population and show a better record during the next census. Then, at least one more may be added to the number either in the Advisory Committee or in the matter of appointments. Sir, other members seem to be solicitous about the welfare of the Brahmins. And what they should do for this is, that they should ask the Brahmins to multiply themselves by marrying early.

Mr. M Govindan: May I ask the honourable member whether he is willing to include the children of *anuloma* marriages in his community?

Mr. N. Krishna Aiyar: As far as I am concerned I have no objection.

President: The object sought by my honourable friend does not include such marriages in its scope.

Mr. N. Krishna Aiyar: If child marriages would lead to the multiplication of the population of the community then it must

be encouraged on national grounds as being done by Signor Mussolini. Another objection pointed out by my honourable friend Mr. Tampi was that the system will not give us companionable wives. If my honourable friend would consult his Brahmin friends he would be satisfied that in point of companionableness or in point of constancy or continunity of married life we stand equal to anybody in the world. Another point stressed was that the Sanatanists in British India fretted and fumed when this legislation was enacted there. I can assure the honourable member that such a thing will not take place here in Travancore, because, essentially, even the Sanatanists here would bow down to the law though all of them will feel the oppression which lies behind it. But in the interests of fairness and justice it ought to be the duty of all people to see that such a contingency does not arise.

Then, on general grounds, it would be seen that this practice has been going on for ever so many years. We cannot say from what period. And in point of longevity of life or in robustness of health, in character, in efficiency, nay, in all standards of human life and human endeavours the communities which have been following this practice have been holding themselves on a par with anybody else in the world. So, there is very little justification for pushing forward such a piece of legislation against the very sentiments and interests of the community whom it is sought to protect. I therefore, appeal to the members of this House, to be fair to the members of this community whom it will obviously affect and request the honourable members to consider these aspects also when they vote for the passing of this Bill.

Mr. P. R. Godavarma Raja (*Edavaga*) : After hearing the many points of argument advanced by the previous speaker, I fail to be convinced of the necessity of opposing this Bill. Therefore, Sir, I do strongly support the principle involved in this Bill. In this connection I would refer to a famous saying embodied in a Sanskrit verse in answer to those who say that child marriage is against Smrithis. The verse runs as follows :—

ശ്രുതിർവ്വിഭിന്നാ സ്മൃതയശ്ച ഭിന്നാഃ
നൈകോ മുനിർയ്യസ്യ മതം പ്രമാണം
ധർമ്മസ്യ തത്വം നിഹിതം ഗുഹായാം
മഹാജനോ യേന ഗതഃ സ പന്ഥാഃ

This verse means that in these matters, the Srutis are different, so also the Smrithis. There are many sages who differ from one another as regards authoritativeness. The principle of Dharma rests in impenetrable caves. Hence we should follow that path trodden by the elite of the enlightened in the country. Moreover,

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even supposing that this Bill is against Smrithis there is still a method to get over the difficulty by performing *Prayaschitha* which is also enjoined by the Smrithis themselves. So the argument that this piece of legislation does not conform to the Smrithis does not also hold ground.

With regard to the point advocated by some of my friends, that because in British India a piece of legislation like this was passed it is not necessary that we should also have one like that here, I would say that we should consider how that piece of legislation came to be passed there and what is the principle underlying the same. If that principle is acceptable to the people here, we should surely adopt it.

So far as these matters are concerned a certain amount of compulsion is necessary and I wish to refer the honourable members to some other pieces of legislation which are now in the statute book and which are expropriatory in character. I refer to the Jenmikudiyan Act. That legislation is an expropriatory legislation. When laws of such character have been passed by the legislature, I fail to see why this piece of legislation alone is opposed on the ground of its compulsory nature.

Mr. Thomas Chandy Mukkadan: ഈ ബില്ലിന്റെ പരിധിയിൽ നിന്നു ഏതെങ്കിലും സമുദായത്തെ ഒഴിവാക്കുന്നതിൽ വിരോധമുണ്ടോ?

Mr. P. R. Godavarma Raja: അങ്ങിനെ ഒഴിവാക്കിയാൽ ബില്ലിന്റെ ശക്തികുറഞ്ഞു പോകുമെന്നാണ് എന്റെ അഭിപ്രായം.

Mr. M. Govindan: Is there not provision in this Bill for exceptional exclusions?

Mr. P. R. Godavarma Raja: Yes. There is the last Section. Sir, considering all the aspects, I think there is no harm done to any community in passing this legislation. Therefore, I strongly appeal to the House to adopt it.

Mr. E. K. Kuriyppe: സർ, ഏതെങ്കിലും ഒരു സമുദായത്തിന്റെ പാരമ്പര്യത്തിനു വിപരീതമായി ഒരു ബിൽ പാസ്സാക്കുന്നതു മതവിശ്വാസത്തിൽ അടിയുറച്ചുനിൽക്കുന്ന തിരുവിതാംകൂറിനു ഒരിക്കലും യോജിച്ചതല്ല. ഒരു സമുദായത്തിലുള്ള ഭൂരിപക്ഷം ജനങ്ങളുടെ അഭിപ്രായം അനുസരിച്ചുവേണം ബില്ലു പാസ്സാക്കേണ്ടതു്. ചൈൽഡ് മാര്യേജു കൊണ്ടു് ആരോഗ്യമുള്ള സന്താനങ്ങൾ ഉണ്ടാവുകയില്ലെന്നു് ചില ഡാക്ടർമാർ പറയുമായിരിക്കാം. ൬൦ വയസ്സ് തികഞ്ഞ സർ. സി. പി. രാമസ്വാമി അയ്യരും ഉദ്ദേശം ൬൦ വയസ്സുവരുന്ന ശ്രീ. ഇ. സുബ്രഹ്മണ്യ

അയ്യർ അവർകളും, അരോഗദൃഢഗാത്രന്മാരായ സന്താനങ്ങളായി ചൈൽഡ് മാര്യേജ് സ്വീകരിച്ച സമുദായത്തിൽ ജനിക്കാമെങ്കിൽ എന്തു കൊണ്ടു് ചൈൽഡ് മാര്യേജിനെ എതിർക്കുന്നു എന്നാണ് ഞാൻ ചോദിക്കുന്നതു്. വിവാഹം കഴിക്കാത്ത സ്ത്രീയ്ക്കും പുരുഷനും ആരോഗ്യത്തിന് കുറവുവരും എന്നു മി. കുരുവിള ഇവിടെ സൂചിപ്പിക്കുകയുണ്ടായി.

Mr. K. K. Kuruvilla : I did not make any scuh statement.

Mr. E. K. Kuriyppe : പറഞ്ഞതായിട്ടാണ് എന്റെ ഓർമ്മ. വിവാഹം കഴിക്കാതിരിക്കുന്ന കാത്തലിക്ക് വൈദികന്മാരിൽ ഭൂരിപക്ഷം പേരും നല്ല ആരോഗ്യവാന്മാരായിട്ടാണ് കാണപ്പെടുന്നതു്. അതുകൊണ്ടു് വിവാഹം കഴിക്കാത്തവർക്ക് ആരോഗ്യത്തിനു കുറവു വരുമെന്നു ഒരിക്കലും പറയാൻ പാടില്ല.

പ്രത്യേകം ബില്ലുകൊണ്ടു് ആരേയും നിർബന്ധിക്കാതെ ഓരോരുത്തരുടേയും ഇഷ്ടത്തിനു വിട്ടുകൊടുക്കുന്നതാണ് നല്ലതു്. ഇത്രയും പ്രസ്താവിച്ചുകൊണ്ടു് ഞാൻ ഈ ബില്ലിനെ ശക്തിയായി എതിർക്കുന്നു.

Mr. T. K. Kitten (*Vaikam, Kottayam and Changanachery cum Peermade*) : സർ, ഈ ബില്ലിനെ ഞാനും എതിർക്കുന്നു. തമിഴ് ബ്രാഹ്മണരെ ഈ ബില്ലിൽനിന്നും ഒഴിവാക്കണം. ഈ ബില്ലിനെ അനുകൂലിക്കണമെന്നു വിചാരിച്ചാണ് ഞാൻ ഇവിടെ വന്നതു്. എന്നാൽ ഇവിടെയുള്ള തമിഴ്ബ്രാഹ്മണരുടെ പ്രസ്താവനകൾ കേട്ടതിൽ അങ്ങനെ വിചാരിച്ചതു തന്നെ മഹാ പാപമെന്നാണ് എനിക്കു തോന്നുന്നതു് (ചിരി). എന്റെ സ്നേഹിതൻ ശ്രീമാൻ നാരായണയ്യർ അവർകൾ "ഞങ്ങളെ ഇതിൽനിന്നും ഒഴിവാക്കണം എന്നു പ്രാർത്ഥിച്ചുകൊണ്ടു് നെഞ്ചിനുനേർക്കു കൈയ്യുംവച്ചുകൊണ്ടു് നിന്നതില എന്നെ വല്ലാതെ അമ്പരപ്പിച്ചു. അതുകയാൽ അവരെ നിർബന്ധിച്ചു് അവരുടെ മേൽ ഈ മഹാപാപം (ബിൽ) കെട്ടിവയ്ക്കരുതു് എന്നാണെന്റെ അഭിപ്രായം. അവരുടെ പെൺകുട്ടികളെ പ്രായപൂർത്തിയാകുന്നതിനു മുൻപു് കല്യാണം കഴിപ്പിക്കുന്നതുകൊണ്ടുള്ള ദൂഷ്യങ്ങളെ കണ്ടുപിടിക്കത്തക്ക ബുദ്ധിമാന്മാരാണ് അവർ. ഇൻഡ്യയിൽ ഏററവും ബുദ്ധിയുള്ള ജാതിക്കാർ ബ്രാഹ്മണരാണ്. അങ്ങനെയുള്ളവർക്ക് നാം നിയമം ഉണ്ടാക്കിക്കൊടുക്കേണ്ട ആവശ്യമേയില്ല. അവരെ ഇതിൽനിന്നു ഒഴിവാക്കണമെന്നാണ് എന്റെ അഭിപ്രായം. ശൈശവവിവാഹനിരോധനപ്രസ്ഥാനത്തിനു മുൻപു വിവാഹം ചെയ്യപ്പെട്ട ബ്രാഹ്മണസ്ത്രീകൾ പ്രസവിച്ച മക്കളാണ് ഈ ബഹുമാനപ്പെട്ട സഭയിൽ ഇരിക്കുന്നതു്. നോക്കുക വല്ല ചള്ളും ചുള്ളക്കമുള്ളവർ ഈ കൂട്ടത്തിൽ ഉണ്ടോ എന്നു്. ഒരുത്തരുമില്ല. ആ സമുദായത്തെ ബില്ലിൽനിന്നു ഒഴിവാക്കുക. ഞാൻ ബില്ലിനെ എതിർക്കുന്നു.

Mr. K. M. Kesavan : In spite of the arguments advanced against the Bill, I feel constrained to support it. There is no doubt that the best well-wishers of a child are its parents ; and there is provision for exemption from the operation of the Bill to those who desire it and the guardian has only to apply for that. In view of the provision for exemption, I should think it is waste of energy and time to discuss the two sides of the question.

Hitherto, it was man that was bringing in Bills and steering them in the Legislature; this is the first instance in which a woman has introduced a Bill and got it passed by the Lower House. I should think that, from vedic times, this is the first instance of the kind. I should also think that that fact itself should have moved some of my honourable friends here, as it has touched them to the quick, to their manliness.

Mr. V. Sankara Menon : Was it a woman that introduced the Bill here ?

Mr. K. M. Kesavan : Not here, in the other House ; I said it clearly.

Mr. M. K. Ananthasiva Aiyar : May I ask the honourable member whether he supports the Bill because it has been brought in by a lady ?

Mr. K. M. Kesavan : Not at all. The main consideration which should weigh with us in seeing this Bill passed into law as early as possible, is in the interest of the future generation. There is also the question of equality of rights and privileges as between man and woman. Therefore, irrespective of any other consideration, this Bill must be supported and passed.

My honourable friend Mr. Krishna Aiyar was arguing that if child marriage was encouraged and if as a result, the population of of the communities concerned would increase, he would only welcome it since the Brahmins, who alone are concerned in this matter, would then be able to get better representation in the public service and representation in the legislature. From his own point of view, that may be right. But, I would ask him to consider the other aspect of the question. At present, in spite of the fact that the Brahmins number only about 50,000, there is over population in Travancore, actual over-crowding. As the Dewan-President rightly observed the other day, barring Java, Travancore is the most densely populated country in the world. In view of that fact, I would ask my honourable friend whether he would still recommend further multiplication of population. I was surprised when he recommended that we should follow Sgr. Mussolini in this respect. The conditions in Italy are entirely different from the conditions here. There, on account of the recent war, there is

paucity of population. We have no war here, and yet the country is already overcrowded. Any further increase in our population would lead us to one of the most menacing problems, over-population and further unemployment. We are already over-populated, and our unemployment problem is not easy of solution. Therefore any suggestion consistent with morality and religion to reduce birth rate would be quite welcome for Travancore.

It was argued by another honourable member that certain principles have been laid down in the Sruthis and Smrithis. Sir, those Smrithis and Sruthis were written centuries ago to suit the conditions then obtaining in India.

Mr. Kochikal P. Balakrishnan Thampi: They were never written. (*Laughter.*)

Mr. K. M. Kesavan: "Sruthi" means what is heard, and "Smrithi" what is remembered. I know they were not written originally. But subsequently what was heard and what was remembered were written down. Hence the reference "written". Let me quote a sanskrit stanza in support of my principle :—

"നിന്ദന്തു നീതിനിപുണാഃ യദിവാ സ്തുവന്തു
ലക്ഷ്മീ സമാവിശതു ഗച്ഛതു വാ യഥേഷ്ടം
അദ്യൈവ വാ മരണമസ്തു യുഗാന്തരേ വാ
ന്യായാൽ പഥഃ പ്രവിചലന്തി പദം ന ധീരാഃ"

Mr. V. Sankara Menon: May I have the meaning of that verse?

Mr. K. M. Kesavan: Unless I explain it in Malayalam, my friend may not be able to understand it; I may be permitted to explain the meaning in Malayalam.

President: The honourable member may explain it in Malayalam or in English, as he likes.

Mr. K. M. Kesavan: I shall give the substance in English—

Let Legislators condemn or praise,
Let prosperity come or go,
Let death come at once or a century hence;
Firm-willed people will not budge an inch from the right path.

Therefore, scriptures have to be interpreted to suit present day condition.

Mr. M. Govindan: May I ask whether the Smrithis characterise infant marriage as *apat dharma?*

Mr. K. M. Kesavan: May be. There are several stories in Puranas to show that pre-puberty marriage is the best and that it was considered a sin to desist from joining one's wife after her

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menses. I shall give one instance. "Kamadhenu" cursed Dileepa when he went away without bowing before her on his return to his queen "Sudekshina," because, on the fourth day after her menses, it is enjoined in the Sastras that the husband should join the wife immediately after the menses. If he did not do so it will be construed as equal to a child murder. But now I would once again repeat the necessity for us to check the growth of population; and certainly the prevention of child marriage is one step in that direction.

Mr. N. Krishna Aiyar: Are there not scientific methods to check the growth of population?

Mr. K. M. Kesavan: I am aware of those nasty devices. But I denounce all those methods, except self-restraint as they are immoral and even unmoral.

President: I would draw the attention of the honourable members to the fact that the question now before the House is child *marriage* restraint. (*Laughter.*)

Mr. K. M. Kesavan: Yes Sir, and therefore I strongly support the motion.

Mr. Kottur Kunjukrishna Pillai: Sir, I must confess that I was not prepared for so much of conservative opposition to this piece of innocent reform, and therefore did not think it necessary to explain, at the outset, the objects of the Bill. I thought that because the attempt of this beneficial reform began as early as 1922 in British India, it would have had its effect in this House also and there would be no necessity for me to anticipate time-old opposition and arguments in support of it, and then answer them.

I shall be pinning my faith, Sir, on the fact that in another place this piece of legislation has been passed as the result of a compromise between the various interests concerned with it. I lay much stress on the agreement or compromise that has been arrived at in another place between the opposing points of view. As it will be seen, the Bill itself is the result of a compromise which has been accommodating to such an extent, which may perhaps not satisfy the ordinary reformist, because, after all, the last clause, No. 11 provides that any man who has got any reasonable objection can be exempted from the provisions of this Bill and the right to grant that exemption has been given to Government. No reasonable opposition can be raised on the ground that the Bill seeks to force through unwilling throats, this dose of reform.

Sir, as we find, many an old argument has been raised here, and there has been a good deal of opposition, whipped up so much

so, I am obliged to answer some of them. Because, whatever might be the fate of my motion regarding this Bill, it must not be said that, here, all that has to be said against the points raised has not been said. So, I hope Sir, and I crave for the indulgence of the House to say a few words regarding some of the salient and relevant points that have been raised. I do not wish to raise controversies that are lying dormant nor do I want to raise fresh ones. I will leave them alone and shall confine myself with certain principal objections that have been raised.

The honourable member Mr. Subba Aiyar raised a very familiar objection. But the practical reformist that he is, he admitted and he did not try to controvert the point, by seeking to justify child marriage. He is too shrewd and too intelligent and too much aware of the circumstances of the world that he did not think as some others thought that it will be good at this time of day to promulgate the proposition that child marriage is a good thing, that it is conducive to the health and prosperity of a community. He conceded that this principle of reform is good as he himself pointed out that he is not averse to the following of such a system. But, he asserted that there should be no legislation regarding this. However beneficial the reform might be it should not be forced by legislation.

Mr. V. Subba Aiyar: I never said that. I have said that I am not against any reform.

Mr. Kottur Kunjukrishna Pillai: Yes, Sir. He is not against any reform. That is enough for my purpose. I do not think that he will contend that he is not against any harmful reform. So my point remains that he is in favour of all beneficial reforms. That is enough for my purpose.

The objection that there should be no legislation concerning the social life or the custom or the religious injunctions applying to certain communities, has been raised at almost at every stage a reform has been sought to be introduced. That is an objection which deserves to be patiently heard and patiently answered. I do not deny that, Sir, unless there is a case made out that there is a proved evil no legislation is justified. I concede that. The question is whether this is not a proved evil, whether legislation has been found necessary elsewhere, whether this question of the right of the individual in matters of religion and social habits to be free from interference has not been considered? It cannot be argued, and I hope it will not be argued, that under no circumstances legislation pertaining to the social or religious aspect of the individual or group of individuals can be permitted. That point will not

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stand the scrutiny of experience even for a moment. Because what do we find in British India itself? Have we not legislation in regard to matters of social and religious usages and customs? What about the Hindu Inheritance Act which has been passed? Can it be said that it is not an inroad into the religious tenets of the people? What about the Civil Marriage Act? Is it not an inroad into the religious custom of the Hindus?

Mr. Kochikal P. Balakrishnan Tampi: What about Sati?

Mr. Kottur Kunjukrishna Pillai: Yes, exactly. The prohibition of Sati, which was considered to be the right of the 'pathivritha' has been carried into effect in British India. There have been cases in which legislation was thought necessary even though individuals and groups on the ground of religion or individual freedom opposed it but public policy and common weal demanded it.

Sir, it was said by my learned friend, Mr. Subba Aiyar, that there is not so much prevalence of child marriage in Travancore, and so this legislation will be an insulting encumbrance in the statute book. He himself controverted that argument and said that if there is not the prevalence of that evil to such a large extent in Travancore, it, *ipso facto* follows or means that there will be no considerable interference with the liberty of the individual. He himself answered that. It is not in the number of cases that the necessity or otherwise of a legislation depends. I ask my learned friend whether he knows that there were only very few cases of Sati at the time when the legislation prohibiting Sati was passed. It was then a very rare thing indeed. But, yet the communal conscience of the reformers was shocked at the suffering of the burning widow and legislation was thought necessary. It was not thought then that it is unnecessary to prohibit it because the practice of Sati was so rare throughout India at that time. The fact is, that in the case of Sati, the utter hideousness of the incident shocked the conscience; in the case of the child marriage and the evils that arise out of it the familiarity of the evil blinds us to its ghastly results. If legislation was justified for preventing Sati there is ample justification for legislation to prevent early maternity both on grounds of humanity and in furtherance of social justice.

Mr. N. Krishna Aiyar: Did sati ever exist in Travancore at any time?

Mr. Kottur Kunjukrishna Pillai: That is not a very relevant point so far as my argument goes, because whether it existed in Travancore or not it did exist in India. It was a custom

among the Hindus which had the sanction of religion and yet legislation has removed that though the number of cases where sa i took place was very small. Sir, there is one difference indeed between the custom of sati and that of child marriage. With regard to sati, after all, it affected only the individual. It did not affect society. The individual suffered, the individual perished and with that the whole thing ended. There is some compensation for the individual even though she had to suffer a good deal because she was deified after her death and there was at least such a compensation and there was thus less justification for preventing sati than there is in the matter of preventing legislation regarding child marriage. Child marriage, on the other hand, affects society, not merely individuals. Who can say that without legislation they will stop the evil which, due to the unwillingness to change, blind orthodoxy has practised till now. The fact is that child marriages are deleterious to the health of the future generation. That is not a point for assertion on my behalf and denial on the other side. It has to be decided by investigation and that has been done by the Age of Consent Committee. The Age of Consent Committee's Report has gone into the question deeply, taken evidence from all over India, consulted doctors, looked into statistics made available from various hospitals and eminent doctors and they have come to the conclusion with the aid of irrefutable statistics that early marriage is an evil so far as the mortality of the wife is concerned, so far as the degeneration of the health of the women is concerned and so far as infant mortality is concerned. If statistics can be any guide, I shall, if necessary, place all the statistics that is available and prove to the hilt that this is a point which cannot be controverted.

Let us see that the Bill is taken up for consideration and the principle of the same accepted. We will come to amendments or changes with regard to the provisions of the Bill afterwards. We will think over the matter, we will consult each other and listen to all arguments with regard to this matter. But let us come to a decision on this crucial question whether this is an evil or not.

Mr. M. Govindan: Sir, may I know whether the degeneration in the health of the present generation is not due more to evils such as drinking than to the practice of child marriage?

Mr. Kottur Kunjukrishna Pillai: Sir, let me not allow myself to be drawn into irrelevance. Let me not be side-tracked into arguments relating to hygiene or the longevity of life; I am not at that point. I am at this. Does this House seriously consider that child marriage is beneficial for the health of the mother and child? Do you want to controvert the irrefutable evidence drawn up by the patient labour and enquiry of an expert committee,

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drawn up after the result of an enquiry conducted throughout India which says with the aid of statistics, texts and with the aid of sciences like Ayurveda and Allopathy, that the continuance of such a practice is not healthy to the community as a whole, and they have come to that conclusion, taking things as a whole and not taking exceptional cases and pointing out an individual or two.

Mr. V. Subba Aiyar: Is not the report of the Committee made from statistics available all over India?

Mr. Kottur Kunjukrishna Pillai: My honourable friend knows that inferences from statistics ought to be taken not from isolated instances but as a whole if they should be correct. It is enough for my argument to say that as a rule it has been found in a majority of cases and on a comparison of a sufficient number of cases where marriage took place at an early age, the mortality of the child was at a greater percentage and the health condition of the wife was at a lower ebb. If that proposition is granted, my proposition should be granted. I may grant that certain portions of South India, or Cochin or Idapalli may be an exception to the general inference that may be drawn from the statistical results. But we have to consider the question of giving our support to a proposition regarding social reform from a general point of view and if we do that, I do not think that it could be seriously urged that however much light-heartedly we may say, without considering the suffering of the women or the conditions of the women, that child marriage is a good thing, that it does no harm, that the community in which the child marriage is prevalent is healthy and it is for others to adopt the custom of child marriage.

I do not want to refer to the argument of my honourable friend Mr. Krishna Aiyar who dragged in the public service recruitment ratio, the increase of population and all that. For my part, I know too much, I am too conscious of the serious and tragic results arising out of this custom, to indulge in cheap humour or any other kind of remark. This is a serious matter which we have to consider seriously. Sir, it has been said by Mr. Subba Aiyar that in olden days, in the Hindu family, even though the marriage was performed early, the consummation did not take place all at once and that there was a check on the early consummation of the marriage, and that consequently the evils of early maternity did not happen. I concede that for the sake of argument. When the joint family system was in its full strength, when the joint family influenced its members effectively the evils of early marriage and the consequent consummation was not in evidence,

But can anybody say at this moment that the influence of the joint family system is as strong as it was a decade or two ago on the individuals constituting the joint family? I do not think that anybody will contend that point.

Mr. V. Subba Aiyar: Which joint family?

Mr. Kottur Kunjukrishna Pillai: The Hindu joint family. In spite of the comparative orthodoxy of the Hindu joint family and its members, the inroad of individualism has affected it and this cannot be controverted. If we admit that, when the influence of the joint family and the sacredness of religious injunction was strong and had a great influence on individuals, it might be unnecessary perhaps for such a legislation because the moral influence, the influence of society and the influence of the joint family, controlled the actions of the individuals and would have acted as a corrective check, so far as we are concerned, that has now gone. It has disappeared. That fact cannot be denied. So for that very reason, whether such a controlling measure was necessary or not a decade or two ago, it has become absolutely necessary in the interests of those communities at the present moment. Sir, it has been found as a matter of fact that there have been cases in which on account of economic conditions, on account of the poverty of the parents, the girls were compelled to live with their husbands before the normal period of consummation. There have been cases in which the husband, a boy, has been found to go astray, and as a corrective the girl was sent to safeguard the marriage tie. There have been cases in which the girl has been sent for economic reasons because the parents wanted that the child should be maintained by the husband. It is all very well to say that child marriage is according to the Srutis and the Smritis and that it is not for sexual enjoyment but for getting progeny for the benefit of the future generations and to save the soul.

Mr. V. Subba Aiyar: May I know wherefrom the honorable member got all this information?

Mr. Kottur Kunjukrishna Pillai: I have gathered it from the evidence collected by the Age of Consent Committee. Specific instances have been pointed out there in which consummation became imperative on account of these factors that I have enumerated.

Mr. G. Narayana Aiyar: May I know the number of such cases?

Mr. Kottur Kunjukrishna Pillai: Considerable enough to warrant legislation. It was thought to be considerable

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enough for British India and they passed a legislation there in spite of the fact that there were greater champions of orthodoxy in British India.

Sir, I think that the controversy of checking population should not be introduced with regard to this matter. That is a very fruitful field for divergence of opinion and alternative suggestions and all the rest of it. I am not concerned just now with the question of population at all. I am here in this Bill concerned more with the health of the women, with the health of the progeny and with the vitality of the nation as a whole.

Mr. G. Narayana Aiyar : May I know from the honourable member whether it would not be sufficient if the age of consummation is fixed?

Mr. Kottur Kunjukrishna Pillai : These are points that have already been raised, Sir. Everybody knows how difficult it is to restrict the period of consummation, how difficult it is to find out cases in which there has been a breaking of the rule regarding consummation. Everybody knows that if we fix a particular age for consummation and if anybody breaks the rule, it cannot be detected, the evasion cannot be proved. It is impracticable. That is merely a roundabout method of torpedoing this legislation. Why should Mr. Narayana Aiyar attempt such a thing? I would prefer the straightforward attack of Mr. Subba Aiyar who said that he did not want this legislation, that he would be satisfied with the reform that is effected by propaganda, by education and by social consciousness. That is an argument that one can understand. Let us not try to get round things which we cannot do straight. There is no use saying consummation can be restricted to a particular age. Nobody is particular to have placed on the statute-book a piece of legislation which is ineffective and which does not bring about the intended reform. All of us can understand things. All of us are living in this world and there is no use in trying to get round by stealthy devices.

I do not wish to add more though very many points have been raised. They have all been raised throughout and they have been answered here and elsewhere by friends who supported the motion. But I wish to mention one fact and that is that this legislation has been passed as we find it as a result of a compromise, as a result of an agreement brought about by yielding certain points in respect of orthodox sentiments and I, for my part, Sir, do not expect that there will be such wholesale opposition to the Bill even after that compromise between the representatives of both points of view.

But that has been done. Let us not try to smother the Bill. Let us consider the provisions of the Bill one by one and see whether the evils are so great that this Bill should not be placed on the statute book.

Sir, for the uniformity of legislation regarding the communities following the same system of law, this legislation ought to be adopted because after all the life of the communities in which the child marriage is prevalent is not confined to Travancore alone. They have got relations beyond the Ghats. They should not be divided and their homogeneity destroyed by different pieces of legislation. It does not mean that we are merely imitating all legislation in British India. It means that we are working for the homogeneity of the communities following the same system of law. It has been brought forward as an argument in favour of many a legislation and it can be brought with greater justification with regard to this legislation than for many others.

Sir, with these words, I commend the motion for the acceptance of the House. I must say what I have to say regarding the various other points raised as and when the amendments are moved.

Mr. V. Subba Aiyar: Sir,——

President : Order, order. The honourable member has no right of reply.

The motion that the Child Marriage Restraint Bill be taken into consideration was put to vote and declared carried.

On a poll being taken the House divided as follows :

AYES—9.

1. Mrs. Abernam Gnanasikhamony	5. Mr. T. W. U. Park
2. Mr. Kochikal P. Balakrishnan Tampi	6. „ James Fletcher
3. „ P. R. Godavarma Raja	7. „ K. M. Kesavan
4. „ M. Govindan	8. „ Kottur Kunjukrishna Pillai
	9. „ K. K. Kuruvilla

NOES 12.

1. Mr. M. K. Ananthasiva Aiyar	7. Mr. G. Narayana Aiyar
2. „ V. S. Arumukham Pillai	8. „ Kallur Narayana Pillai
3. „ T. K. Kittan	9. „ V. Sankara Menon
4. „ N. Krishna Iyer	10. „ Thomas Chandy Mukkadan
5. „ T. Krishna Pillai	11. Miss Thressia Kora
6. „ E. K. Kuriyppe	12. Mr. V. Subba Aiyar

NEUTRALS—14.

1. Sahib Bahadur Haji Hassan Yacoob Sait
2. " Abdul Tayeb Shaikh Kaderbhoy
3. " T. Mahomed Ismail
4. Mr. P. I. Simon
5. Sahib Bahadur M. Sultan Muhiadheen
6. Mr. M. K. Nilakanta Aiyar
7. " M. Govinda Pillai
8. Mr. K. Sankaran
9. " P. G. Narayanan Unnithan
10. " Puthupalli S. Krishna Pillai
11. " V. R. Sankaranarayana Pillai
12. " M. S. Doraswami Aiyangar
13. " K. R. Narayana Aiyar
14. " M. Ramachandra Rao

The motion was declared lost, 9 voting for, 12 voting against and 14 remaining neutral.

THE TRAVANCORE HINDU GAINS OF LEARNING BILL.

Mr. G. Narayana Aiyar: Sir, I beg to introduce the Travancore Hindu Gains of Learning Bill. The object of the Bill is given in the statement of objects and reasons. Under the principles of Hindu Law as administered by our courts, the earnings of any member of a Hindu coparcenary acquired with the help of the nucleus of joint family property, even though it is very small, will have to be divided with the other members of the family.

That system has been found to be not in consonance with the altered and changing sentiments of the Hindu community. The law in British India in this respect has been amended and the existing doubts have been removed by the passing of the Gains of Learning Act XXX of 1930. Our High Court probably want a legislation of this kind so that their decisions could be in accord with the changing sentiments of the Hindu community. There have been persistent attempts to see that acquisitions of property are held in tact by the 'acquirer' as defined in the enactment in British India. On account of the intimate relationship of the Hindus of the State with their brethren in British India, it is very necessary to have a similar legislation in our State removing all the existing difficulties. By adopting the proposed Bill, the position of the female members of the Hindu family would be improved thereby. I hope the Bill will be accepted by the House.

Mr. Kochikal P. Balakrishnan Tampi: I second it,

SECRETARY : The title of the Bill should be "THE TRAVANCORE HINDU GAINS OF LEARNING BILL."

Mr. G. Narayana Aiyar : I now move that the Bill be referred to a Select Committee composed of the following members :—

Messrs :

Kottur Kunjukrishna Pillai,
James Fletcher,
V. Sankara Menon,
Kallur Narayana Pillai,
P. R. Godavarma Raja,
N. Krishna Aiyar,
K. M. Kesavan,
M. Govindan,
T. Mahomed Ismail,
M. K. Ananthasiva Aiyar,
T. Krishna Pillai,
P. I. Simon,
Kochikal P. Balakrishnan Tampi,
myself and the Legal Remembrancer,

and the report to be submitted within four months.

The motion was put and carried.

RESOLUTIONS.

Mr. G. Narayana Aiyar: Sir, I move the following resolution:

"This Council recommends to Government that the Travancore currency be so modified and adjusted as to prevent loss during the process of conversion and exchange to British Indian coins."

The loss incurred by such conversion is great and it affects Travancoreans heavily. The loss sustained by people here could no longer be ignored by Government. An anna is equivalent to 1 Ch. 12½ cash. There is no half cash available as a coin. In actual conversion, there is terrible loss incurred and both the rich as well as the poorest of the poor are hard hit in the matter of exchange. Then, the customs duty in Travancore is realised in British Indian currency and not in Travancore currency. There also, a lot of difficulty and loss is occasioned in conversion. Something like an amount of Rs. 1,200 or so is received yearly by this Government as *priyavasi* as could be seen from the Administration Report of the Excise Department, on account of payment in Travancore coinage. According to strict calculation one anna is equivalent to 28½ cash. We have no half cash as currency. So in cases where we have to pay one anna we have to pay more in Travancore coins. In the Post Offices, in the Railway stations and in the customs houses we are forced to pay more than what is legally due. Though the anna is not a Travancore coin it is current here and the same has to be accepted in all business transactions,

The existence of one anna receipt stamps in our State is an anomaly since we have no coin as Travancore one anna. Daily the public are losing heavily during exchange for no fault of theirs and the same has to be remedied as early as is possible.

Again, Sir, the tourists who visit this country from outside are increasing daily and they also are badly affected owing to payments in Travancore coins. They find it very difficult to prevent loss in the matter of exchange. They deserve sufficient encouragement and accommodation. The conversion of Travancore currency into British currency and *vice versa* is a source of immense trouble to tourists also and as such deserves to be seriously tackled by Government without delay. The student population in lower classes of the High School department have always felt it very taxing and difficult to study and apply the principle of conversion of Travancore coins into British coins and *vice versa*. It has to be admitted by all that conversion is still a complicated matter as it unduly taxes the brains of all persons. In view of the fact that for no fault of the people conversion of Travancore coins into British entails great loss to us and because it tells heavily from the point of view of incidence, it is high time that the Travancore currency is so amended as to prevent loss to the unfortunate Travancoreans, though it has to be admitted that it is a prestige and privilege to have our own coins.

President: Then what system would the honourable member recommend?

Mr. G. Narayana Aiyar: One British Rupee may be made equivalent to 32 chuckrams and corresponding gradations effected for half and quarter rupees and the value of one anna would be 2 chuckrams and one chuckram be valued as 12 cash. Some such definite arrangement may be adopted for conversion.

Mr. K. M. Kesavan: At that rate, what will be the value of a pie?

Mr. G. Narayana Aiyar: It must be made equal to 2 cash.

Mr. K. M. Kesavan: I second the proposition.

Mr. M. Govinda Pillai (*Financial Secretary to Government*): Sir, fraction of a cash is involved only in the conversion of a pie or anna. According to the laws in force in Travancore today, a pie or anna is not legal tender. All British Indian coins below the denomination of 2 annas are not legal tender. Government have not at all recognised an anna or a pie as legal tender, and all denominations of British coins from 2 annas upwards do not involve fraction of a cash. One pie is equivalent to 2·37 cash

and an anna is equal to 1 ch. 12½ cash. If the proposal of the mover is that a pie should be considered as equivalent to 2 cash, then a rupee will be six fanams, while our equivalent for a rupee is 7⅛ fanams.

President: His proposition would really involve a re-minting of the coins already in force here, followed by considerable loss.

Mr. M. Govinda Pillai: Yes, Sir. Further a serious set back to the financial position would ensue if the assets and liabilities which have been valued on the present basis are disturbed. Supposing a pie is made equivalent to 3 cash, that means 'loss' to the public.

Mr. G. Narayana Aiyar: Sir——

President: This is a matter engaging the attention of Government. It would be to the advantage of Government if all the vulgar fractions in the matter of calculations are avoided. But the trouble is that Chitra coins and other coins have been minted and are under circulation on a certain basis and in dealing with this matter, the question of making some kind of harmonious arrangement between the British coinage and the Travancore coinage will have to be considered. It is only last year that powers were taken by this Government with the concurrence of His Excellency the Crown Representative of the Paramount Power for enabling the Chitra coins to be unlimited legal tender. Thus, therefore, we have from last year a right which we did not have for a long time, namely, that our coins are unlimited tender throughout the State. This scheme is being worked and; very probably when the occasion arises—I think that occasion would arise much sooner than many of us would have expected—we may have to recall some of the coins and re-issue them. That would be the proper time for considering this question. Honourable members may feel sure that if there can be an arrangement which would avoid very complicated calculations either within the State or between the State and the neighbouring State, such an arrangement would be thought of by this Government. More than that I cannot say at present.

As honourable members may well know, the silver content of the Chitra is different from the silver content of the rupee and half Rupee. Therefore, the question of approximating Chitra and the rupee involves certain modifications and certain regulations. It may be that the silver content of the Chitra rupee may have to be appreciated a little so as to make it possible for calculations in Chitra actual rupees to take place without fractions. These matters will be kept in mind. However, I may say that appreciation of the currency may lead to some unexpected complications just as

[President.]

depreciation leads to other difficulties. Honourable members will realise that the proplem is an extremely complicated one. At the same time I may assure the members that Government do not want to keep aloof in all these difficult mathematical calculations longer than absolutely necessary, consistently with the national financial position.

Mr. Abdul Tayeb Shaikh Kaderbhoy (*Commerce and Industry South*): May I request that if we make one rupee equivalent to 24 chuckrams and corresponding gradations downwards, a pie would be equivalent to 2 cash, then, will not that be an advantageous arrangement for us?

President: That is quite understandable. But that would involve a recalling of the currency just now. The new coins are actually now under circulation. This is not the proper time for recalling them for obvious reasons.

Mr. G. Narayana Aiyar: In view of the complicated problem involved in the matter of conversion of Travancore currency into British currency and *vice versa* and the difficulty and loss to the Government and in view of the assurance from Government that the question would receive its proper and due attention as early as is possible, I beg to withdraw the motion.

The motion was, by leave, withdrawn.

At this stage the Dewan-President vacated the Chair which was then occupied by Mr. V. S. Arumukham Pillai, one of the Panel of Chairmen.

Mr. G. Narayana Aiyar: Sir, I move the following resolution.

> "This Council recommends to Government that the public holidays recently abolished be restored in view of the importance of the holidays".

We have been enjoying the abolished public holidays for the past 50 years and more and practically 28 of them have been abolished all on a sudden. Most of these holidays, of course, are not days of ease or concord, but they are days to be observed on religious principles. Some are days of fasting and some others puja days and days of engagements. The abolition of the holidays in question is a matter which vitally affects the religious sentiments of all communities in Travancore. It is very regrettable to find that when the Government are taking all steps to respect the religious sentiments of all communities and are effecting very salutary reforms, to pass an order in derogation of such a position in utter disregard of the sentiments of the Hindu community which forms the major part of the population, is not quite proper. This is a matter in which the Government ought to have ascertained the sentiments and views of all the communities in the State long before. In so far as that had not been done, and in so far as the

notification for the abolition of the holidays have been brought about all on a sudden, the same have to be restored at once and it also shows that due regard has not been paid by Government to respect the religious sentiments of the communities. We do not know what the justifications are for such a notification abolishing the holidays that existed.

The number of general holidays that is now allowed in this State comes to 16 only. Out of this one, *i. e.* eclipse day may be deducted for economic reasons, because that particular holiday may or may not happen. Deducting that, the other general holidays number 15, barring of course all Sundays. Out of that, holidays for the Empire day, His Majesty the King Emperor's Birthday, His Highness the Maharaja's Birthday, Christmas Day, New Year's Day, which total five, are exclusively enjoyed by all. They are common holidays even otherwise. No special appellation "general" is necessary. So, taking that away, the general holidays number only ten. We will now see the number of holidays existing in British India. There on a reference to the Fort St. George Gazette, it is seen that general public holidays for all communities under the Negotiable Instruments Act besides Sundays come to 28. Besides that, there are other common public holidays declared as such by the Government which are available for enjoyment to *all* communities. This is the reference.

FORT ST. GEORGE GAZETTE, OCTOBER 5TH.

"Under the explanation to section 25 of the Negotiable Instruments Act, 1881 (Act XXVI of 1881), read with the notification of the Government of India, Home Department (Public), No. 228/37, dated 1st April 1938, His Excellency the Governor is hereby pleased to declare that in addition to the public holidays, expressly defined as such in the said explanation viz., Sundays, Monday, the 2nd January 1939 (New Year's Day, the 1st January 1939 falling on a Sunday), Christmas Day (Monday the 25th December 1939) and Good Friday (Friday, the 7th April 1939), the following days shall be public holidays in the year 1939 :—

Friday the 13th January Saturday, the 14th January	Pongal
Wednesday, the 1st February	Bakrid
Friday, the 17th February	Mahasivarathri
Thursday, the 2nd March	Last day of Muharram
Wednesday, the 22nd March	Telugu New Year's Day.
Saturday, the 8th April Monday, the 10th April	Easter
Friday, the 14th April	Tamil New Year's Day.

[Mr. G. Narayana Aiyar,]

Wednesday, the 3rd May	Meeladi Nabi
Thursday, the 8th June	Official observance of His Majesty the King Emperor's Birthday.
Saturday, the 1st July	Half-yearly closing of bank accounts.
Tuesday the 29th August	Avani Avittam
Thursday, the 7th September	Sri Jayanti
Saturday, the 16th September	Vinayaka Chathurthi
Thursday, the 12th October	Mahalaya Amavasi
Saturday, the 21st October	Ayudha Puja
Friday, the 10th November	Dipavali
Monday, the 13th November	Ramzan
Friday, the 22nd December	Vaikunta Ekadasi
Tuesday, the 26th December Wednesday, the 27th December Friday, the 29th December Saturday, the 30th December	Christmas

Besides that there is the further order No. 2.

"His Excellency the Governor further notifies that on the following days, which are not declared to be public holidays under Statutory provision, all public offices in the Presidency Town and in the mofussil will be closed with the exception of (1) the Customs office, (2) the Port Office, (3) the General Stamp office (which will be open from 11 A. M. to 1 P. M.)"

Penultimate Saturday in each month	except March.
Wednesday, the 29th March	Sri Rama Navami
Thursday, the 6th April Tuesday, the 11th April	Easter
Wednesday, the 24th May	Empire Day.
Thursday, the 28th December	Christmas

Thus it can be seen that besides Sundays the total number of general holidays that is enjoyed by all communities in British India including Christmas and Easter comes to 45 whereas the total number of holidays that we enjoy except special holidays and Sundays, comes to only 10. In this connection the setting up of communal holidays is against the policy of Government. It should be the policy of Government that communal harmony and concord are maintained. There should be common holidays for all the communities. That is the way in which Government can attain communal unity. Setting apart certain days as holidays for particular communities is tantamount to an admission on the part

of the Government that they do not want communal harmony. I doubt very much whether that policy of the Government should be encouraged.

Coming to the number of half holidays, I may submit that it is attendant with ever so many practical difficulties in their observance. Take the case of a half holiday, say, New Moon day which is a half holiday for Brahmins alone. Suppose the Presiding Officer in a court is an Ezhava, one of the Vakils and one of the parties are Brahmins and the other party is a Nair. The Court has to assemble at 11 O' clock as per existing orders. The summons to the party as well as to the witnesses direct that he has to appear before the court at 11 O' clock. Munsiffs are bound to come to the Bench at 11 O' clock but not the Munsiffs who are Brahmins. The Vakil or the party who is a Brahmin need not come to the court at that time because it is a special half holiday for him. Can the Munsiff declare that the defendant who is a Brahmin is absent and that he is ex parte and proceed to decide the case in the face of the fact that the party who is a Brahmin need not attend court before 12 ? Or can the Munsiff go on with the case in the absence of the Brahmin Vakil who is not bound to attend court before 12 on that day ? Is the Munsiff to keep quiet till 12 ? Is the Brahmin party or Brahmin Vakil bound to apply for time? Or take the case of a Narayana Guru holiday for Ezhavas or any other sectional holiday. Can any business be transacted in courts or offices where the joint presence of sectional holiday enjoying servants is absolutely necessary for satisfactory work? Such confusion exists in all departments. No greater confusion can be imagined. It is better, if the holidays are given, they are given in full and not half holidays. Sectional holidays are objectionable in principle, difficult to observe in practice and it is a source of serious hardship. I understand that when the Judicial Department Officers were asked to give their opinion about the retention of the half holidays, and the abolition of other holidays every one of them have recommended strongly to Government the difficulty or the impossibility of doing anything on those days and the desirability of restoring all holidays. It is doubtful whether before the said Government order was passed, the High Court or any responsible officer or any departmental head was consulted. The order is not defensible either in principle or practice. I have heard it said that in our State the number of public holidays enjoyed is too much. I doubt whether that is a fact. Taking 366 days as the possible number of days in a year, there are 53 Sundays, 10 New Moon days and 16 general holidays. Thus the total number of general holidays in a year even if New Moon days are declared general holidays come to 88 days and the remaining 277 are working days. Thus nearly

[Mr. G. Narayana Aiyar.]

80 per cent. of the number of days in a year will be working days. I would suggest that at least 7 more important days may also be declared as general holidays in view of the religious importance of those days. Holidays are not as a rule days of rest. Most of the holidays are utilised for turning out substantial work for which there may not be sufficient time to be devoted on ordinary working days. All New Moon days may also be declared as general holidays. Holidays are utilised by officers to finish all the arrears. They are the days in which officers can devote their time for disposing of important work. With the increase in the volume of litigation, judicial officers find very little time to attend to writing judgment in important cases. As a rule judicial officers' use these holidays for writing judgment in difficult and important cases. A hard-worked officer requires enough of rest to recoupe his health after hard work. But those honest hard-worked officers will be completely upset by the sudden stopping of holidays. It is highly undesirable to allow holidays on communal consideration. In British India and Cochin, Krishna Jayanthi, Vinayaka Chathurthi, Vaikunta Ekadasi, Mahasivarathri, Makara Samkramam, Karkatakasamkramam and Mahalaya Amavasi are declared as general public holidays for all communities alike. It will be seen that the Hindu population in the State comes to 61·6 per cent. of the total population and the general sectional holidays they enjoy at present is only about 10 while other smaller communities enjoy far greater number of holidays. I do not say that other communities should not be allowed to enjoy more number of holidays. More Hindu holidays have to be sanctioned as general holidays. The sectional holidays work great hardship even in the case of officers who have to hand over and take charge of their duties. There are practical difficulties in it. I would therefore recommend to the House to support the resolution and request the Government to see that at least the abovesaid 7 days as well as all New Moon days are restored within the shortest time possible as general holidays. These days are holidays for schools. In view of the importance of the days and the difficulties it may cause to the public as well as to the Government, I submit that these days may be restored as early as possible.

Mr. M. Govindan: I rise to support the resolution moved by my friend Mr. Narayana Aiyar. He has already detailed the grounds on which the resolution is based. Great inconvenience will be felt by courts if there are different sets of holidays for different people. My own impression is that in the law courts there should not be any distinction between one community and another in the matter of holidays. Let us take for instance Sundays. That

has become a universal holiday. To some religious sections, it is a very important day. We are also given the benefit of enjoying it. We are thankful to the Government for that. Similarly, there are some other important days for other sections. They may also be treated as holidays for all the sections of the people. Otherwise inequalities will arise even in questions of limitation. A suit will have to be filed by an Ezhava on a particular day, by a Christian on another day and so on. Such difference there should not be. I would therefore strongly recommend that the same set of holidays should be prescribed for all. It may be that it may add to the number of holidays. But I may point out to the House from my own experience that the more the number of holidays given to the Judicial Department, the more work will be turned out. The presiding officers will have more time to write their judgments. Their tables will not be groaning under the weight of cases and number of holidays will considerably relieve them. That is one thing.

The busy practitioners will have more time to look up and prepare their cases on holidays. So, in both ways, the granting of more holidays would be conducive to more work being done. It will be a great relief to the overworked gentlemen engaged in the profession of law and to the presiding officers. I think it is on that principle that vacations are allowed. On the same principle, holidays may also be given. I think the resolution does not confine itself to the Judicial Department alone. So far as the Judicial Department is concerned, this is my experience. In respect of other departments also, it is quite necessary that the holidays should be restored. There is no need to curtail the number of holidays. I am sure the experience of other departments must be that there is no commensurate amount of work turned out by reason of greater number of days being working days. The whole thing depends upon the vigour with which we can attack our files. Therefore I whole-heartedly support the resolution brought forward by Mr. Narayana Aiyar.

Mr. Kallur Narayana Pillai :സർ, ഈ പ്രമേയത്തെ ഞാൻ ഹാർദ്ദമായി അനുകൂലിക്കുന്നു. ഒഴിവുദിവസങ്ങൾ കുറവുചെയ്തതുകൊണ്ടും ചില സാമുദായിക ഒഴിവുകൾ നീക്കുന്നതുകൊണ്ടും പലവിധത്തിലുള്ള കുഴപ്പങ്ങൾ ഉണ്ടാകാനിടയുണ്ട്. അധികം കുഴപ്പം വരാവുന്നതു ജുഡിഷ്യൽ ഡിപ്പാർട്ടുമെൻറിലാണ്. ഒരന്യായം ഫയൽ ചെയ്താൽ അതിലെ ഒരു പ്രതി ബ്രാഹ്മണനായിരിക്കും, ഒരു പ്രതി ഈഴവനായിരിക്കും, ഒരു പ്രതി ക്രിസ്ത്യാനിയായിരിക്കും. ആദ്യം വിചാരണ നിശ്ചയിക്കുന്ന തീയതി ബ്രാഹ്മണർക്ക് ഒഴിവുള്ള ദിവസമോ അല്ലെങ്കിൽ ഈഴവന് ഒഴിവുള്ള ദിവസമോ ആയിരുന്നെന്നുവരാം. കക്ഷി ഹാജരാവുകയില്ല. കേസു വിധിച്ചുകഴിഞ്ഞാൽ ഒഴിവുദിവസത്തിൽ വിധിച്ചു എന്നു

കാരണം പറഞ്ഞു എക്സ് പാർട്ടി മാററാൻ ഹർജി കൊടുക്കും. കേസു നീണ്ടുപോകയും ചെയ്യും. കൂടാതെ, വിധിനടത്തിൽ ഒരു വസ്തു ലേലം സ്ഥിരപ്പെടുത്തുന്നതിനു വച്ചിരിക്കുന്ന ദിവസം പ്രതിക്കു ഒഴിവുള്ള ദിവസമായിരിക്കും. ഉടനെ ആ കാരണം പറഞ്ഞു ലേലം അസ്ഥിരപ്പെടുത്താൻ നോക്കും. തക്കം കൊടുക്കുന്നതുകൊണ്ട് സാധാരണ വ്യവഹാരങ്ങൾ വളരെക്കാലം നീണ്ടുനിൽക്കുന്നു. അതുപോലെതന്നെ പ്രിസൈഡിംഗ് ആഫീസർക്ക് ഒഴിവുള്ള ദിവസം മററുള്ളവർക്കു ഒഴിവുള്ള ദിവസമായിരിക്കയില്ല. അന്നും കേസു നടക്കയില്ല. അതുകൊണ്ടു ഇവകൾ ലാസ് ഡിലേക്കു ഒരു പ്രധാനകാരണമായിത്തീരും എന്നാണ് എന്റെ അഭിപ്രായം.

ഈ ഒഴിവു ദിവസങ്ങൾ കുറവുചെയ്യുന്നതിനുമുമ്പ് ഒരു ഡിസ്ട്രിക്റ്റ് മുൻസിഫ് ൪൦ കേസുകൾ തീർക്കണമെന്നു വ്യവസ്ഥ ചെയ്തിരുന്നു. ഒഴിവു ദിവസങ്ങൾ കുറവുചെയ്തിട്ടും തീർക്കേണ്ട കേസുകളുടെ എണ്ണം കുറച്ചിട്ടില്ല. ജഡ്ജ്മെന്റുകൾ എഴുതുന്നതിനു ഒഴിവുദിവസങ്ങളിൽ മാത്രമേ സാധിക്കുകയുള്ളു. എഡ്യൂക്കേഷൻ ഡിപ്പാർട്ടുമെന്റിനും ജുഡിഷ്യൽ ഡിപ്പാർട്ടുമെന്റിനും മിഡ്സമ്മർ വെക്കേഷൻ കൊടുത്തിരിക്കുന്നതു എന്തിനാണെന്നു നോക്കാം. കൊച്ചുകുട്ടികളെ കാര്യം പറഞ്ഞു മനസ്സിലാക്കുന്ന സംഗതി വളരെ വിഷമമുള്ള ഒന്നാണ്. അതിലേക്കു തലച്ചോറുകൊണ്ട് നല്ലവണ്ണം ജോലിചെയ്യണം. വക്കീലന്മാരുടെ സ്ഥിതിയും ഏകദേശം ഇതുപോലെ തന്നെ. അതുകൊണ്ടാണ് ഈ രണ്ടു ഡിപ്പാർട്ടുമെന്റിലേക്കും മിഡ്സമ്മർ വെക്കേഷൻ കൊടുത്തിരിക്കുന്നത്. ജുഡിഷ്യൽ ഡിപ്പാർട്ടുമെന്റിലേക്കു ഈ ഒഴിവുദിവസങ്ങളെല്ലാം വളരെ അത്യാവശ്യമായിട്ടുള്ളതാണ്. അതുകൊണ്ട് ഈ പ്രമേയത്തെ ഞാൻ പിൻതാങ്ങുന്നു.

Mr. Kochikal P. Balakrishnan Tampi: Sir, I rise to oppose the resolution. In doing so, Sir, I am really not very glad in not agreeing with my good old friend Mr. G. Narayana Aiyar. For the second time today before the sun goes down I am disagreeing with him. The question of holidays is not one of sentiment. It should not be viewed with a school-boy enthusiasm or in a half holiday mood. From the point of view of public economy, holidays should be as small in number as possible. I certainly endorse the views of Mr. Narayana Aiyar, Mr. Govindan and Mr. Kallur Narayana Pillai that the judicial officers are put to difficulties due to the reduction of holidays. Certainly the matter must be looked into. It does not mean that the number of holidays in the aggregate must be increased.

Sir, in these modern times, every thing is calculated in terms of money value. Let us calculate the amount of work a clerk in the Public Offices does in terms of calory or some such unit and then see whether holiday is needed or not. In this matter let us see what the private firms do. Are they granting so many holidays? Are they not getting adequate work for the money they pay? By this, I do not suggest for one moment that conditions should be made harder. My point is, that maximum work under the best living condition should be got. I would strongly recommend another resolution if brought forward, that a cup of tea should be served in the afternoon to the clerks, *gratis.* That will only gladden them and make them work more efficiently and cheerfully. That will be an escape from the tedium of the office and it will be only modern and as the expression goes, American, to give them a cup of tea in the afternoon.

In the matter of holidays we are not to trouble ourselves very much about how they came into existence. Sir, Sunday is surely a holiday for the Hindus when they do the "Suriyanamaskar". It is also a holiday for the Christians being the sabbath. Anyway Sunday is the day set apart for rest. But to ask for setting apart, Mattupongal, Yugadipandika as holidays for Public Offices shows a kind of undergraduate enthusiasm for holidays. As members of the Upper House, we hope to view things from a detached point and not from the point of view of college students.

With regard to the re-grouping of holidays I may suggest 7 or 8 days should be given to Onam and the Christmas as the summer recess is enjoyed only by a small fraction of people employed in Government service. I appeal to the House not to view this from any sentimental point of view.

Now, there is the cropping up of communal holidays. Government have made a mistake in giving communal holidays. I am a Hindu myself. But I am not worried about the future of my soul in the other world for not performing *tharpanams* on New Moon days. In the case of those who do this they finish the whole business before 10 in the morning. So a holiday for New Moon day is not necessary. Therefore I appeal to Government to look into the question of these holidays, even by appointing a committee with my honourable friends like Mr. Narayana Aiyar as members who could help it in the matter of re-grouping of holidays.

Mr. K. K. Kuruvilla : Sir, I rise to support this resolution. In supporting it, I have to make a few observations. Sir, in my opinion, re-grouping of holidays is essential. We had 6 days as holidays for Easter and now it is reduced to two days. It is especially difficult for us to work during Easter holidays because Chrisians devote those days for religious purposes.

Mr. Kochikal P. Balakrishnan Tampi: Do all the Christians observe Easter holidays ?

Mr. K. K. Kuruvilla: There is difference in the matter of holidays between the Eastern and the Western Church. So, my submission is, that if we could get 7 days for Easter it will be advantageous to the Christians. Therefore, a re-grouping of the holidays is necessary so that all may be benefited.

Mr. T. Mahomed Ismail: Sir, I strongly support this resolution. I am of opinion that the classification of holidays as general and special is not at all necessary. I do not understand what the Government is going to gain by taking away the general holidays. I would ask the Government whether work is slackened due to the granting of holidays. Whenever there is more work, the clerks and officers sit up late in the evening after 5 and finish it. But they read novels and newspapers in the office if there is no work for them to do. So, work they must do, in spite of holidays or no holidays. I do not think that Government are going to gain anything by converting the general into special holidays.

Mr. Balakrishnan Tampi raised the question of economy in stopping general holidays. But I ask, are the employees paid more or less by granting or not granting these holidays ?

Then, about communal holidays, some points were raised. The 3 Muslim holidays, now changed as special holidays were general holidays. I must say that these holidays are observed throughout India and outside for the last so many years.

Mr. Kochikal P. Balakrishnan Tampi: May I know whether there is a greater number of holidays in British India than in Travancore ?

Mr. T. Mahomed Ismail: I am not concerned about the number of holidays. I am speaking about the importance of the holidays. The special holidays such as the Prophet's Day and the "Id" days should be made general so that all people can gather together and utilise those days for exchanging views on the religion of sister communities, thus promoting inter-communal harmony. Again, it is a privilege. While our Muslim brethren living outside Travancore are enjoying this privilege why should it be denied to us? So, I would request Government to reconsider their decision in regard to the granting of the abolished holidays.

Mr. Kottur Kunjukrishna Pillai: Sir, I am sorry that I cannot find my way to support the resolution brought forward by my honourable friend Mr. G. Narayana Aiyar, as it is worded. The resolution reads thus :

> "This Council recommends to Government that the public holidays recently abolished be restored in view of the importance of the holidays."

Mr. Narayana Aiyar seems to want only to restore the holidays. But what the Government has done by the recent arrangement is that they have not merely abolished certain holidays but have classified them as special and general. While I cannot agree to the wording of the resolution, I cannot at all appreciate the change made by Government by classifying the holidays. My objection to the change is not on the number of holidays. But I take objection to the way in which holidays are arranged. Certain holidays are given to certain communities and certain other holidays to some other communities. Some communities in the Hindu fold get some special holidays and others do not get the benefit of them. I can very well understand the statement of Mr. Tampi that there are many who do not very much care for the souls of the departed, and who do not really perform *tharpanam* on the New Moon day.

Mr. Kochikal P. Balakrishnan Tampi: Honourable member is not accurate; I had included also the souls of the living, in my observation. (*Laughter.*)

Mr. Kottur Kunjukrishna Pillai: Whatever that be, such indifference towards important religious ceremonies is not confined to any particular community. I take objection to differentiation among the Hindus themselves in the matter of religious holidays; if among Brahmins there are people who are very particular in observing the New Moon as a holiday, there are many in the other communities also who are equally anxious in observing the New Moon *Śradha.* This fundamental point does not seem to have been placed before the Government sufficiently clearly. Sir, in the mofussil, I know there are many non-Brahmins going as far as Warkala and Tiruvallam, with greater faith than any other Hindus, and performing *tharpanams* and *Sradhas* on New Moon days, so that it cannot be claimed on behalf of any community that religious observances are their exclusive privilege. The Hindus cannot be divided in that manner, at any rate in the matter of religious holidays. That is a point about which I feel very strongly. There should be no such distinction like that between community and community in the Hindu fold.

Mr. M. K. Ananthasiva Aiyar: May I ask whether any non-Brahmin has anything to do with the performance of *gayatri japam?*

Mr. Kottur Kunjukrishna Pillai: It is not for Mr. Ananthasiva Aiyar to say whether the non-Brahmins can perform *gayatri japam* or not; it is left to the non-Brahmins entirely. There may be some non-Brahmins inclined to perform *gayatri japam.* Who can say that they should not?

[Mr. Kottur Kunjukrishna Pillai.]

Sir, I am going to put forward a suggestion which will avoid all these difficulties, and which will also conform to the grounds of economy raised by my honourable friend Mr. Tampi. I am not at all for increasing the number of holidays, if that can be avoided. I am equally strong also against any separatist tendency being introduced in the shape of separate treatment, in the matter of holidays, of different communities and castes. My simple suggestion is that all holidays given by Government shall be general holidays, and Government can prepare a list of such holidays without going into the question of the communities or castes who usually observe them as holidays or as religious days. Anybody who wants to perform *gayatri japam* must take casual leave on that day and perform it. If anybody wants to enjoy *mattu pongal* on behalf of the quadrupeds, by all means let him take casual leave and enjoy. No one should be given a holiday on the basis that he belongs to a particular community. Then, having granted a fixed number of general holidays, let the Government increase the number of casual leave days so that anybody anxious to celebrate something on a particular day may take casual leave on that day and satisfy himself.

Sir, the argument was advanced that we should have more holidays because, especially for judicial officers, unfinished judgments could be written on holidays; it was argued, on that ground, that more holidays would mean more work.

Mr. Kochikal P. Balakrishnan Tampi: May I ask whether that is not an index of inefficiency on the part of the officer concerned; because, all efficient officers would finish their work during the working days?

Mr. Kottur Kunjukrishna Pillai: I agree that a tolerably efficient officer can finish all his work during working days.

Mr. M. Govindan: Is it incapacity or inefficiency to enjoy a holiday and to recoup health for better and more expeditious work?

Mr. Kottur Kunjukrishna Pillai: Sir, I do not quite understand the question. I am not now arguing as to how best holidays could be utilised or how best one's health could be recouped. Certainly, that is not a point on which Government have any reason to be anxious. If, as a matter of fact, more work is done on holidays than on working days, it would be better that we have the whole year as holidays leaving a few days here and there as working days; I do not know if it is going to be argued like that. That is an argument which cannot take us very far. I should think that proper amount of work will be done on working days.

Coming to my point, I am strongly of opinion that all holidays should be general holidays available to all communities and castes. Otherwise, as has been pointed out by Mr. Kallur Narayana Pillai, there is sure to be a lot of confusion, especially in our Courts. With regard to schools also, Government themselves have found that the half-holiday for the Brahmins alone, on New Moon days, is not workable in practice.

Therefore, Sir, to get over all these difficulties, as I have already suggested, the best method would be to allow a few more casual leave days, so that anybody who wants to avail a holiday on a particular day can take casual leave and enjoy the holiday.

Mr. Abdul Taebb Shaikh Kaderbhoy: While I understand the honourable member's suggestion so far as the officials are concerned, may I ask what the non-officials belonging to the various communities are to do if they are summoned by Courts on days which they consider sacred and should be observed as holidays?

Mr. Kottur Kunjukrishna Pillai: That is very easily solved; the party can apply to the Court, and he will be summoned on some other day again.

Mr. N. Krishna Aiyar: Sir, I support the resolution. I agree with my honourable friend Mr. Kottur Kunjukrishna Pillai in that all holidays must be only general holidays, available for the entire public of the State without any communal or caste distinction. The difficulties on account of these sectional holidays have been very clearly pointed out by my honourable friends Mr. G. Narayana Aiyar and Mr. Kallur Narayana Pillai; and I do not want to repeat them.

As regards the quantum of work turned out by officers, I am sure it does not depend upon the number of working days; it depends upon the nature of the work and the character and efficiency, and sense of responsibility of individual officers. Any increase in the number of working days will not, I submit, increase the volume of work turned out. I h ve seen several officers—also legal practitioners who have a sense of responsibility—working on holidays; in fact, some of them turn out more work during holidays than during working days, because, after all, they get only 5 hours for work on working days. Most of our responsible officers sit up late at night and get up very early in the morning, and work throughout even on holidays. The same is the case with regard to judicial officers and legal practitioners. In the interests of good turn over of work, it is better we leave it to the officers concerned to adjust their work according to their convenience. It is no use increasing the number of working days. Mr. Tampi dealt with what he called

[Mr. N. Krishna Aiyar.]

financial or economic grounds. So long as each officer is allotted a particular work, he has to finish it within the time allotted. Once he does that, it is immaterial if he is given a few more holidays in the year.

My honourable friend Mr. Kottur Kunjukrishna Pillai made the counter suggestion, *viz.*, that all the special holidays might be abolished and the number of casual leave days increased instead. Sir, even for the casual leave days, officers have to be paid; so that what is it that the tax-payer gains whether the days on which officers remain at home are called casual leave days or holidays?

Sir, the honourable member Mr. Tampi was referring to 'school-boy enthusiasm' in the matter of holidays. Those who work must have rest; officers and non-officials doing serious work do want rest. Those who are incapable, those who do not like to work, will not work, whether you reduce or increase the number of working days or holidays. Those who have work to do and who are capable and efficient, will do their work whether you increase the number of working days or reduce them. It all depends on the character, capacity and efficiency, the sense of responsibility above all, of the individuals concerned.

Mr. Kochikal P. Balakrishnan Tampi: Is not the honourable member aware that the Travancore Service Regulations and Rules do not allow slackers to flourish?

Mr. N. Krishna Aiyar: That is supposed to be so.

Sir, as has been pointed out by my lawyer friends, the inconvenience due to the special holidays is most keenly felt in our courts of law. At first, Government would not grant us even the Christmas holidays; but, later, on account of the motions made by the members of the legal profession and also by the officers of the Judicial department, they were restored. I admit, Sir, that the restoration of the Christmas holidays was received with a certain amount of boyish enthusiasm at which Mr. Tampi was scoffing. Sir, holidays are a matter of necessity to those who work. In fact, in other countries, the agitation is for reduction in the number of working hours.

Mr. Kochikal P. Balakrishnan Tampi: Will the honourable member kindly enlighten the House with the name of the country where there is agitation for reducing the number of working hours?

Mr. N. Krishna Aiyar: America, for instance.

Mr. Kochikal P. Balakrishnan Tampi: Will the honourable member kindly state whether there is any other country or province where they have a greater number of holidays than Travancore?

Mr. N. Krishna Aiyar : I have only to refer my honourable friend to the book from which Mr. Narayana Aiyar quoted the list of holidays in vogue in British India, holidays which were in vogue here but which have recently been abolished.

Mr. M. Govindan : Is there any other province or State where the number of holidays is less than it is in Travancore?

Mr. N Krishna Aiyar : I do not know. I have not studied the position with special reference to the figures on the matter. But, I do believe that most of the holidays which have recently been abolished here, are still holidays throughout the rest of India.

In regard to the question of saving more of public funds by increasing the number of working days I think that any increase in the number of working days would also mean further increase in expenditure, in the shape of more electric and other charges. The Government has been getting on quite well all these years, in spite of the holidays which were recently abolished; I do not think work has suffered in any respect. In any event, the special reasons why the Judicial Department should have all these holidays have been clearly pointed out; and they do exist.

With these words, I commend the resolution for the acceptance of the House.

The House adjourned *sine die* at 4—30 P. M.

A. GUNAMANY,
Secretary to the Sri Chitra State Council.

PROCEEDINGS
of
THE TRAVANCORE SRI CHITRA STATE COUNCIL.

(*OFFICIAL REPORT*)

SECOND COUNCIL.

SIXTH SESSION 1940/1115

VOLUME XV—NUMBER 4.

Monday, the 4th March 1940/21st Kumbhom 1115.

The Council met in the Legislative Chamber, Public Offices, at 11 30 A. M., Sachivottama Sir C. P. Ramaswami Aiyar, K. C. I. E., LL. D., Dewan-President, presiding.

MEMBERS SWORN.

The following members took the oath and signed the rolls :—

Mr. Jacob Cheriyan (*Nominated for the purpose of the Travancore Agriculturists' Relief Act (Amendment) Bill*).

Mr. S. Veeraiah Reddiar Do.

Mr. U. Padmanabha Kukillaya (*Advocate General*)

BILLS ASSENTED TO BY HIS HIGHNESS THE MAHARAJA.

Secretary : I beg to report that the following Bills received the assent of His Highness the Maharaja :

1. The Travancore Bankers' Books Evidence Bill.
2. The Travancore Census Bill.
3. The Travancore Reformatory Schools Act (Amendment) Bill.
4. The Travancore Rubber Control Bill.

LEGISLATIVE BUSINESS.

THE TRAVANCORE AGRICULTURISTS RELIEF ACT (AMENDMENT) BILL.

Mr. Thomas Chandy Mukkadan (*Nominated*) : ൧൯൪൦ ഫെബ്രുവരി ൧൬-ാം-൹ കൂടിയ ശ്രീ ചിത്തിര സ്റ്റേറ്റ് കൗൺസിലിൽവച്ചു് മി. പടിയറ ജോസഫ് കത്തിനു അവതരിപ്പിക്കുന്നതി

G. P. T. 2087. 350 3-9-1115.

[Mr. Thomas Chandy Mukkadan.]

നമ്പവാദം കൊടുത്ത അഗ്രിക്കൾച്ചറിസ്റ്റ്സ് റിലീഫ് ആക്ട് അമെൻറുമെൻറു ബില്ലിൻെറ ചാർജ്ജ എടുക്കുന്നതിന്നു സ്റ്റാൻറിംഗ് ആർഡർ ൪ (ഫ) അനുസരിച്ച് എന്നെ അനുവദിക്കണമെന്നും ഈ സംഗതി സംയുക്തസമ്മേളനത്തിൽ പര്യാലോചിക്കപ്പെടണമെന്നും ഞാൻ അഭിപ്രായപ്പെടുന്നു.

Mr. C. N. Thuppan Namboori (*Jenmies*): ഞാൻ ഈ അഭിപ്രായത്തെ പിൻതാങ്ങുന്നു.

The above motion was accepted by the House.

The House adjourned at 11-35 A. M.

JOINT SITTING OF THE SRI MULAM ASSEMBLY AND THE SRI CHITRA STATE COUNCIL.

A joint sitting of the Sri Mulam Assembly and the Sri Chitra State Council was held at 12 noon. The Dewan addressed the Honourable Members as follows:—

Honourable members of the Legislature;

I have taken the liberty of requesting the attendance of the two Houses of the Legislature for the purpose of explaining certain matters to the honourable members and also of obtaining some assistance in the solution of what is indubitably, a very important and intricate question. At the outset let me hasten to correct a misconception that seems to prevail. I was the recipient of some letters and I have also received some oral representations to the effect that this is regarded as an attempt on the part of the Government to shelve or postpone or hinder the enactment of legislation in the matter of debt relief. Let me at once correct that impression. This joint meeting of the Houses of the Legislature is intended solely and simply for the purpose of considering certain doubts which Government feel and to have those doubts resolved mainly in order to enable Government, with the assistance of the members of the two Houses, to introduce legislation which will be initiated without any delay and in the space of a few weeks rather than of months. Let me therefore begin by saying that this meeting of the two Houses is not to be regarded as part of dilatory tactics. I wish to assure the honourable members of the Legislature that Government are as much alive to the importance and the seriousness of the situation in so far as certain debts and debtors and people with certain assets and a certain amount of indebtedness are concerned and it is the object and aim of Government to help those that are in real need of help. And, such help will be and must be forthcoming without any delay.

I shall next advert to certain points on which there is and need be no controversy and certain points on which Government feel doubts. I may say at once that Government have not finally made up their minds on any of the matters which will be placed by me before the House and Government are open to conviction as a result of the discussion here. The views of the two Houses of the Legislature will be of the utmost value in coming to a decision.

After having said that the Government are open to conviction, I may also say that there are certain preliminary observations that I should like to make and the first is to pay a tribute to the labours of the Debt Relief Enquiry Committee whose enquiries, investigations and discussions have resulted in a report from which Government have derived and will derive, I feel certain, very great assistance indeed. With a great deal of what is contained in the report and I say it with the utmost pleasure, Government are in entire agreement and they intend and propose to implement those portions with which they are in agreement as early as possible. The President and members of the Committee in a very short time and working intensively and at high pressure have gone into the matter most thoroughly and have produced an extremely valuable report. I am sure members of both the Houses will acknowledge that assistance from the labours of that Committee which the Government have derived and acknowledged. It is beyond controversy that there is a real evil and that evil has to be remedied, and the problem of indebtedness has to be solved. Now the question is, what is the solution and how far can that solution proceed. There are one or two observations contained in the report of the Debt Relief Enquiry Committee to which I shall draw attention. On pages 18 and 19 of the Committee's report are contained the statement which are of a revealing and instructive character. The Committee say:

> "It cannot be denied that a substantial restriction of credit would result. That is said to have been the immediate result of the Madras Act.........
>
> Naturally, the first reaction of the person who has money to invest or lend would be to avoid subjecting himself to the risk of such legislation in future......
>
> This, however, is a state of mind which is not likely to last long and it may be anticipated that in a few years, the capitalist would find his fund gradually diminishing by consumption and would again start to make profit by lending it out. The other alternative is that the capitalist big or small, would invest his money in Government Savings Banks or bonds, thereby providing the Government with money for financing business."

Mark the words "thereby providing the Government with money for financing business." Such financing Government can undertake only to a very limited extent. Then the report further says:

"Here we would only say that provisions for scaling down existing debts should be supplemented by provisions for future credit to the workers."

Reading this as a whole it will be seen that here and on pages 38 and 39, this Committee, composed as it is of men eminent in several walks of life, have undoubtedly realised that the problem would have to be solved on the lines of the interference with contracts, and what has been called the sanctity of contracts. That they realise and they say that that interference with the sanctity of contracts should be and would be justified on special grounds. There has been a considerable amount of agitation and discussion on this subject. But there has been much less of agitation and discussion on the part of persons who are really hard hit than on the part of persons who are not so hard hit.

One of the points which the Government would wish to ascertain is as to who are the persons who are to be benefited by any such legislation? In regard to this, at page 9 of their report the Committee say:

"The main ground on which the claim for relief is based is the sudden and abnormal increase in the burden of debt due to the steep fall in prices. This increase equally affects the small man and the big man and makes it necessary to relieve both from the inequitable burden."

Speaking for myself, I find it difficult to subscribe to that proposition, and I do not wish to disguise this from the assembled members of the two Houses of Legislature. Why is any such relief provision necessary? It is necessary for the purpose of helping the otherwise helpless man, the debtor who is in the clutches of the money-lender or the capitalist and who cannot really bargain on equal terms with the creditor and not for the purpose of relieving the speculator, the man who has a considerable amount of money or property and has also incurred losses and debt and who has not been at the mercy of the creditor. Supposing a man with 1,000 acres goes to a creditor and asks for money and the creditor says that he will give it only at 12 per cent. interest, it is open to the former not to borrow the money but to sell 500 of those acres and deal with the situation and he is not at the mercy of the creditor; whereas the man with one acre is at the mercy of the creditor if he desires to raise money thereon and is entirely amenable to his influence. Are such relief measures to be applicable to persons who are able to deal with creditors more or less on an equal footing and are able to bargain with them? At the present moment I say that Government have not made up their minds on this matter but they do feel that it is in many senses very difficult for them to deal with the question of large capitalists—they are after all capitalists themselves—dealing with other large capitalists. At page 10 of their report the Committee say:

"It must also be remembered that there are several ways in which relief may be granted to the debtor, short of finding money to discharge his debt. Reduction in the rate of interest and the concession to repay the debt in instalments spread out over a number of years are substantial advantages of which there can be no justification to deprive the man with the burden of a big debt."

How and why did he get that big debt?

In regard to that matter let me refer to reports of the Banking Enquiry Committee and the Economic Depression Enquiry Committee. The statistics collected by them prove that 77 per cent. of the debts were incurred at that time in respect of the discharge of prior encumbrances. In the Banking Enquiry Committee Report at page 48, paragraph 60 gives the purposes for which loans were secured in the year 1928—29. Loans for payment of prior debts formed 71.7 per cent. while those for improvement of lands formed 4·8 per cent. Therefore, if it is asserted that these moneys were borrowed for improving the agricultural holdings of the large debtors, this contention is belied by these figures. Apart from that, is it the duty of the public, is it the duty of the Legislature or is it the right of the Legislature to help the people who are or must be otherwise able to help themselves? That is a point on which Government would like to have instruction and enlightenment from the assembled members of the two Houses. If a person lends say Rs. 50,000 to another person who is able to get enough credit for the purpose either of speculation or for the purpose of increasing an already large holding by making it larger, on what principle or precedent or practice or legislative convenience is it that Government and the Legislature should intervene? Should they help the rich man who has tried to become richer and who has not succeeded in becoming so? At pages, 18 and 19 of the Debt Relief Committee's report it has been stated that reasonable relief should not be unfair to either party. That is exactly the position that Government wish to take and that is a matter on which also Government would like to get full and comprehensive advice from the assembled members of the two Houses.

As I said, there are many matters in regard to which there is no controversy. On the question of the compartmental treatment of agricultural and other debts, the Government are at one with the Committee. With regard to making these measures not available to the agriculturists alone the Government are entirely with the Committee. With regard to the question of reducing the rate of interest and the question of the period of repayment, the Government are at one with the Committee. On the question of banks and co-operative societies, the Government are at one with the Committee subject to what I shall say later as to the co-operative societies. In

regard to the question of lowering the minimum to be advanced by the Credit Bank to Rs. 100 and the raising of the advances to be made to 60 per cent. of the holdings, the Government are at one with the Committee.

The points on which the Government wish to get elucidation are only a few. One of those points as I have already stated is the question as to whether the remedy is to be extended to all persons irrespective of their pecuniary status or is it to be confined in some other manner? In regard to this various suggestions have been made. It has been suggested for instance that the majority of the debtors in this State owe practically small amounts of money. It is proved that about 95·2 per cent. of the debtors in the State are those whose debts are below Rs. 5,000. If Government and the Legislature are going to help the debtors, should they not confine themselves to attending to those persons and their needs rather than to attending also to those who have been able to obtain larger advances and have availed themselves of those advances? Of the small debtors it could readily be said that their present plight is due to the phenomenal fall in prices. But with regard to the other people with large debts, could it or could it not be said that they have had a good time, that they made large incomes some time ago, that they have not been making equally large incomes now and that they not unnaturally desire relief? The matter has been put to me like this--that people who pay Rs. 100 or more as land tax and those who are assessed to income tax of Rs 100 or more should be outside the scope of relief and that only others should be within the scope of this Bill. That is a matter on which opinion has to be gathered. It is also a self-evident fact that those who get their income in money have not been affected by the depression.

The next point is about the Co-operative Societies; that is another important matter that has arisen for solution. On that, Government have not only not made up their minds but fully realise that there is a good deal to be said on both sides. There is no doubt that the Co-operative Societies in Travancore have been functioning—or have been reported to be functioning—more or less like usurers; in other words, they have been making advances on terms not very different from and conditions not dissimilar to those adopted by ordinary money lenders, so that there would be nothing unjust in the same treatment being meted out to them as will be meted out to the money-lenders. But there is another aspect with regard to the Co-operative Societies, which will have to be borne in mind. Government started these societies with a certain purpose, and armed them with certain powers and privileges; they were given the powers to make their own bye-laws and rules. In fact,

Government, when they started these societies, gave them a send off as it were in order that their avowed object might be fulfilled. The question has to be considered whether the Government should do anything which may lead to the collapse of many societies or rather the majority of the existing societies.

Then, another point on which too certain doubts have been expressed is this. The Debt Relief Committee has not dealt with what may be called the small creditor, apart from the small debtor. I am referring to a person whose sole asset in this world is a sum of say, Rs. 1,000. As honourable members are aware, there are many such persons, many of them widows or helpless old men who have invested small amounts with capitalists on whom they rely to maintain themselves. I know of such cases very well. Invariably, such persons choose the wealthiest man in the village and deposit the money with him. It will then happen that many of these wealthy men become debtors to these widows, these helpless women with only a thousand rupees to their credit in the whole world, and no other asset. Now the question is, are you going to allow the scaling down in favour of these rich men of the villages and against the poor widow who has only Rs. 1,000 to her credit. That is a matter which the House will have to consider. Are the poor widow with her Rs. 1,000 to her credit, and the millionaire who is debtor to the widow to be treated on the same footing as other creditors and debtors? That is the point that the House has to consider.

Then comes the question of trade debts about which also a great deal can be said on both sides. Again I may say, that Government have not come to any conclusion on this point either although the question is intimately bound up with the maintenance of the commercial credit of the country without which industrial progress will be rendered difficult. The observations of the committee on this point are contained in paragraph 111, at page 38 of their report. They say that the choice lies between the wholesale merchants and the retail trader, and state that, as between them, the former could better bear the loss than the latter. The same rule, I submit, should be applied to the debtor also. If the question is as to who could bear the burden better as between the big debtor and the small debtor, certainly it is the former; because, it is possible for him, by selling the bulk of his properties if need be, to pay off all his debts, and still have something left with him for keeping body and soul together; that is out of the question so far as the small debtor is concerned since he owns just enough for pulling on

Another point on which there is or can be some doubt is with regard to the agency to settle these disputes between the creditor and the debtor. I may say as the head of the administration that, generally speaking, Government are now agreed that what may be called a voluntary agency through conciliation courts—the course that has been tried here—has not been successful; and Government are perfectly willing to take these disputes back to the courts. It cannot but be admitted that the problem originally arose entirely on account of the Civil Courts in the country, on account of the delays in the courts, notwithstanding the efficiency of our Judicial officers. It cannot but be admitted that the delays in the disposal of suits, especially of execution proceedings, have been so great that both the creditor and the debtor really lost heart over this matter. Unless in the future Government and the court can do something to avoid such inordinate delays, we shall really be in a very bad position indeed. Our courts seem to have thought that speed and expedition do not matter in relation to efficiency of judicial work; and that has led to inordinate delays and this difficult problem now confronting us. If within six months or a year of the date of filing a suit a decree was passed, and within the next six months it is executed, there would have been no trouble at all. Now, the delay has led to such great accumulation of interest that new factors have come into operation. I am sorry to have to say that much of our trouble arising out of agricultural and other indebtedness has been due to the dilatoriness of the courts of this country. I make this observation in the hope that courts will do their work more expeditiously and not grant frequent adjournments either to suit the convenience of the lawyers or of the judges themselves, or for other considerations, and will not lend themselves to misplaced doctrinaire propositions in favour either of the debtor or of the creditor.

Now, I hope it will be clear to the House that the Government are at one with the committee on most points.

As at present advised, Government feel great practical difficulty in extending help to the rich debtor. Are we to bring in the legislation merely because a set of rich, influential debtors have successfully organised public opinion and set up a strong agitation in their support? This is what the Committee state in paragraph 54, at page 19 of their report:

> "It is also feared, and not without reason, that the compulsory reduction of debts will make borrowers reckless in the hope that agitation would always bring about legislation easing the burden of debt. If by the nature and frequency of debt legislation such an idea was likely to be encouraged, the result would certainly be deplorable. Any material benefit that debtors might occassionally derive therefrom would be more than counterbalanced by the moral deterioration caused by the systematic disregard of the

> pledged word. That is a contingency that Governments and Legislatures have to provide against. It must be made plain beyond any doubt that mere agitation by the debtors for the purpose would not result in legislation relieving them from the obligation to carry out their contracts."

Assuming for a moment that the whole problem has been due to agitation on the part of certain rich and influential persons in the country who happened to borrow huge sums of money and are therefore now in the position of debtors, should the Legislature help rich debtors and speculators by a scaling-down legislation in their favour. Assuming that we take such steps, what is there to prevent the agitation being repeated some time hence, and another attempt being made to scale down further even the scaled-down debt? If the idea gains ground that influential and well-to do people who have money and resources at their command can go about and get a legislation of this kind enacted, credit will stop and no industrial progress will be possible. I hope the Legislature will make it clear that agitation of any kind will not give rise to legislation of this kind in future. Any step that we now take must be of such character that it will have the element of finality. It must be made perfectly clear to the country at large that after the debts are scaled down now, there will be no other chance of further agitation started for the purpose of any further relief. I feel very strong on that particular aspect of the matter, because I know that in countries which have enacted legislation of this kind, credit has notably shrunk and money is moving from certain localities where such legislation has come into being, because of the uneasiness of creditors. I am absolutely not in sympathy with the money-lender who, taking advantage of the necessity and the circumstances of the borrower, pushes him to a corner, files a suit against him, gets a decree against him and after some time threatens execution and gets into an agreement with him adding some more money and getting a new document. The question is whether relief is to be given only to such persons against whom all those ways and arts can be used, or also to people who are more or less on an equal status with the creditors, and who do the same thing with *their* debtors--for, many of these debtors are creditors too. Such information as Government have in their possession indicates that, while they were very anxious to have their debts scaled down, such big debtors have not been equally merciful to *their* debtors and have continued to indulge in expensive pre-occupations. These aspects must be borne in mind by the members of the two Houses. It is because Government feel that they cannot take up a definite position, on all these topics fraught with very grave consequences, without a full discussion of the subject by the Legislature, that Government have taken the step of regimenting the combined wisdom of the two Houses of the Legislature.

How the Legislature may proceed is a matter on which I would make a suggestion, *viz.*, that the House may very informally discuss the matter amongst themselves, go into committee, so to say, for a day or two; at the end, if there is some kind of unanimity the result may be reported by the two Houses. By such a course, one undoubtedly valuable result would be achieved, *viz.*, the two Houses of the Legislature will come to a common understanding with regard to this matter; and we can have a legislative enactment pushed through later on. Otherwise, having regard to the temperament and the composition of the two Houses of the Legislature, there may be the possibility of conflict of opinion; Government are anxious to avoid that. There should be the greatest common measure of agreement; that is why the suggestion has been made that the two Houses of the Legislature should meet together and deliberate on this matter, have a full discussion, and then, if it is possible, bring those conclusions into a form. We shall then know how the opinion lies; and Government will formulate their opinion having regard to the general feeling in the country. I may again assure the honourable members of the House that, even on the point of the rich and the poor debtors, although, speaking personally, I have strong views on the subject, I do not think I am entitled to act upon those views *per se* if it is found that the general opinion is that the rich debtor should be helped as well as the poor debtor, Government will pay due weight to that view; only, I do not want to hide from the honourable members of this House my personal opinion that a legislation of this kind should help only the necessitous, the poor man, and not the rich man, who taking advantage of the credit which he had by virtue of his large assets entered into certain transactions but was not able to make the profit which he bargained for. That is my personal opinion. But Government are not wedded to that opinion and they will be guided very largely by the opinion of the country as voiced by its representatives in the two Houses of the Legislature.

With these words, I would invite the honourable members to go into an informal conference for the purpose of discussing the matter, if they do not find any objection to that procedure.

Mr R. Sambasiva Aiyar (*Member, Sri Mulam Assembly—(Nominated for the purpose of the Travancore Agriculturists' Relief Act (Amendment) Bill)*: Sir, I would submit for the consideration of the Chair,

President: I would like to know first whether what I have said commends itself to the main organised parties of the House. What is your opinion, Mr. Padmanabha Pillai?

Mr. Kainikkara M. Padmanabha Pillai (*Member, Sri Mulam Assembly—Changanacherry* cum *Peermade Constituency*) : I think we might discuss the matter as suggested by you. In view of the great importance of the subject, I would request the Dewan-President to preside at those meetings.

President : It is not with the view that I should retire and allow honourable members to discuss amongst themselves that I made the suggestion. It is because an informal discussion is likely to clear doubts, and be more elucidatory that I made the suggestion. I propose to be here from the first to last. But does the procedure commend itself to the honourable members?

Mr. Kottur Kunjukrishna Pillai (*Member, Sri Chitra State Council—Quilon* cum *Kunnattur Constituency*) : I agree to the procedure suggested by the Chair.

Mr. K. G. Kunjukrishna Pillai (*Member, Sri Mulam Assembly—Neyyattinkara* cum *Trivandrum Constituency*) : I also agree to that procedure.

President : Does any member wish to raise any objection to that procedure?

Mr. N. Ramakrishna Pillai (*Member, Sri Mulam Assembly—Vaikam* cum *Kottayam Constituency*) : I also agree to the suggestion made by the Chair.

Mr. Kochikal P. Balakrishnan Tampi (*Member, Sri Chitra State Council—Karunagapalli, Kartikapalli and Ambalapuzha* cum *Shertallai Constituency*) : I too agree, but this should not become a precedent. In view of the importance and emergency of the problem, I agree to the procedure suggested by the Chair; but I do not wish that the individual deciding power of either of the two Houses should suffer to any extent.

President : I quite realise that. I am one with the honourable member who spoke last. But, there are ever so many difficulties in the matter. Suppose, for instance, the same problem is put to the Assembly, and the Assembly comes to certain conclusion; and then the Council may not arrive at the same conclusion. Everybody says that the whole problem must be dealt with soon. That is why this procedure has been adopted. If there is some unanimity, the idea of Government is to summon the Assembly very shortly—and then the Council—and push through some suitable legislative enactment. That is the present idea of Government.

In view of the informal discussion, the question is whether it should be open to the press? I am entirely at the hands of the House.

Mr. Kochikal P. Balakrishnan Tampi: They may also be informally present.

President: I have no objection to that. The House will now adjourn.

The Joint Sitting terminated at 12.40 P. M.

A. GUNAMONY,
Secretary to the Sri Chitra State Council.

[*The proceedings of the informal conference which took place subsequently to discuss the Report of the Debt Relief Enquiry Committee are issued as a separate appendix to this Volume.*]

PROCEEDINGS

of

THE TRAVANCORE SRI CHITRA STATE COUNCIL.

(*OFFICIAL REPORT*)

SECOND COUNCIL.

VOLUME XV—NUMBER 5.

SIXTH SESSION 1115/1940.

Monday, the 11th Mithunam 1115/24th June 1940.

The Travancore Sri Chitra State Council met in the Legislative Chamber, Public Offices, at eleven of the clock, with Sachivottama Sir C. P. Ramaswami Aiyar, K. C. I. E., LL. D., Dewan-President, in the Chair.

MEMBERS SWORN.

The following members took the oath and signed the Rolls :—

1. Khan Bahadur G. S. Abdul Karim Sahib Suhrawardy (*Inspector-General of Police*).
2. Mr. M. S. Doraswami Aiyangar (*Chief Engineer*).
3. Dr. M. K. Gopala Pillai (*Director of Public Health*).
4. Mr. Puthupally S, Krishna Pillai (*Legal Remembrancer to Government*).
5. Mr. C. Kumara Das (*Director of Industries*).
6. Mr. G. Narayanan Tampi (*Secretary to Government*).
7. Mr. M. K. Nilakanta Aiyar (*Chief Secretary to Government*).
8. Vaidyasastrakusala Dr. (Mrs.) M. Poonen Lukose (*Surgeon-General*)
9. Mr. M. Ramachandra Rao (*Land Revenue and Income Tax Commissioner*).
10. Mr. S. Sundararajan (*Financial Secretary to Government*)

QUESTIONS AND ANSWERS.

The P. W. D. Advisory Board.

52. ***Mr. K. M. Kesavan** (*Karunagapalli, Kartikapalli and Ambalapuzha* cum *Shertallai*): Will the Government be pleased to state :

(*a*) the number of meetings held by the P. W. D. Advisory Board ;

(*b*) the places where such meetings were held ; and

(*c*) the work done by those meetings ?

Mr. M. S. Doraswami Aiyangar (*Chief Engineer*) : (*a*) Three.

(*b*) In the Office of the Chief Engineer.

(*c*) The rules for the working of the committee etc., were considered and approved, The question of preparing a five-year plan of works in the different taluks was considered and a talukwar list of works to be taken up next year was prepared.

Mr. K. M. Kesavan : In respect of answer to part (*c*), may I know whether these rules and the provisions of the five-year plan will be made available to the members of this House ?

Mr. M. S. Doraswami Aiyangar : The five-year plan has not been completely laid out. When the full plan is made available, it will be placed before this House.

Ryots' Roads.

53. ***Mr. K. K. Kuruvilla** (*Mavelikara and Tiruvalla* cum *Pattanamtitta*): Will the Government be pleased to state how many miles of ryots' roads there are in the State and how many miles of them are in a finished state with the necessary culverts, bridges and other improvements ?

Mr. M. S. Doraswami Aiyangar: There are in all 525 miles of ryots' roads of which 334 miles and 7½ furlongs are in a finished state.

Incomplete Roads.

54. ***Mr. K. K. Kuruvilla** : Will the Government be pleased to state whether any plan could be devised by which roads that remain incomplete may be made at least cartable within five years ?

Mr. M. S. Doraswami Aiyangar : The question is under consideration.

Mr. K. K. Kuruvilla : Sir, it is stated in the answer that "the question is under consideration". Will the honourable member say whether these incomplete roads will not become completely useless if we prolong this 'consideration'?

Mr. M.S. Doraswami Aiyangar : The question of improvement of the balance number of miles of the ryots' roads has been placed duly before the P. W. D. Advisory Committee and the more urgent of them are being taken up and included in the programme for the next year. The others will be included in the programmes for the future years.

Mr. K. K. Kuruvilla : Sir, that is not my question. May I know whether these roads will not become absolutely useless if the department does not take immediate action?

Mr. M. S. Doraswami Aiyangar : Well, we are doing some maintenance work. Therefore, they will not become absolutely useless.

Mr. K. K. Kuruvilla : Yes, but will they not become partly useless?

Mr. M. S. Doraswami Aiyangar : Yes. Improvements are not done at present, but the ordinary maintenance work, which is necessary to keep them under the present conditions, are being made.

Mr. K. K. Kuruvilla : Will the suggestions be placed before us in regard to the entire five-year plan?

Mr. M. S. Doraswami Aiyangar : Yes, it will be done.

Tiruvalla-Edathua section of the Alleppey-Mundakayam road.

55. ***Mr. K. K. Kuruvilla** : Will the Government be pleased to state how many years have passed since work began in the Thiruvalla-Edathua Section of the Alleppey-Mundakayam road and why the work is not yet complete though money has been budgeted for it every year?

Mr. M. S. Doraswami Aiyangar : It is 12 years since the work was started. The road work has been nearly completed between Tiruvalla and Edathua. Steps have already been taken to push on with the construction of bridges and culverts which had to be delayed owing to change of design.

Mr. K. K. Kuruvilla : Sir may I know how many times, since the work was started, have the design been changed in connection with this road? It is stated that the work was started twelve years ago. May I know how many times have the designs been changed by the department?

Mr. M. S. Doraswami Aiyangar : With regard to the road between Podiyadi and Neeratupuram, there are two bridges. The designs of both of them had to be changed about once each. But the matter was under investigation and correspondence and therefore ... ...

Mr. K. K. Kuruvilla : Well, change of design need not take twelve years for the execution of the work.

Mr. M. S. Doraswami Aiyangar : Sir, we had to observe the action due to floods. The question was whether the waterway was sufficient for the flow of the water. We had to observe it for subsequent years and it took naturally some time.

Mr. Kochikal P. Balakrishnan Tampi : (*Karunagapalli, Kartikapalli, and Ambalapuzha* cum *Shertalla*) : Sir, may I know whether the department is waiting for the arrival of some iron materials for these two bridges ?

Mr. M. S. Doraswami Aiyangar : Yes.

Poramboke cases in Muvattupuzha, Kunnatnad, Devicolam and Parur.

56. ***Mr. E. K. Kuripe** (*Parur, Kunnatnad and Muvattupuzha* cum *Devicolam*) : Will the Government be pleased to lay on the table a statement showing the number of Poramboke cases taken up in 1113 and 1114 in each of the taluks of Muvattupuzha, Kunnatnad, Devicolam and Parur, the number of cases in which punishments were inflicted and the amounts realised in each taluk by way of fine ?

Mr. M. Ramachandra Rao (*Land Revenue and Income Tax Commissioner*): *A statement furnishing the required information is laid on the table.

Silts in the Periyar river.

57. ***Mr. G. Narayana Aiyar** (*Parur, Kunntanad and Muvattupuzha* cum *Devicolam*) : Will the Government be pleased to state :

(*a*) whether the Periyar river is being silted up year after year ;

(*b*) if the answer to part (*a*) is in the affirmative, whether the Government will be pleased to state the reasons for the same and what action was taken by the Government to prevent the silting up and when ;

(*c*) how long is it since the silting up is going on in the Periyar river ;

(*d*) has any part of the river become unfit for navigation even for ordinary valloms during the summer season ; if so, what is the period during which such navigation is not possible ;

(*e*) what is the distance of that portion of the river which is not fit for navigation during the summer season ; and

(*f*) the average number of valloms that daily pass and repass through that river between Alwaye and Perumbavur ?

**Vide* Appendix I—page 210.

Mr. M. S. Doraswami Aiyangar: (*a*) Yes.

(*b*) Natural causes such as rains falling on the catchment area account for the silting up of the river. In order to prevent this silting up, Government have made it a policy to register the wooded areas in the High Range in Peermade for cardamom cultivation only so that the forest trees are not cut down and that there may be undergrowth of cardamom which will prevent silt being brought down. It is also expected that the construction of dams across streams undertaken for purposes of irrigation and other schemes may prevent the silting up of the river bed to some extent.

(*c*) From time immemorial.

(*d*) Yes. Above Mudikkal from beginning of February to beginning of June.

(*e*) Between Mudikkal and Malayattur, six miles.

(*f*) No statistics have been collected.

Mr. G. Narayana Aiyar: Sir, with reference to part (*e*) of the answer, may I know whether there are any floods in the river, year after year?

Mr. M. S. Doraswami Aiyangar: Yes. there are.

Mr. G. Narayana Aiyar: May I know whether the policy of disafforestation is not the sole cause of the floods obtaining here?

Mr. M. S. Doraswami Aiyangar: It is one of the chief causes.

Mr. G. Narayana Aiyar: In view of that fact, may I know whether the Government have in contemplation any idea to stop disafforestation?

Mr. M. S. Doraswami Aiyangar: It is already under contemplation and therefore it has been stated in the reply that it is the definite policy of Government that lands are to be given only for cultivation of cardamom and that disafforestation should not be allowed.

Mr. G. Narayana Aiyar: As regards answer to part (*e*) may I know whether the public are not being put to too much trouble on account of this part of the Periyar river being unfit for navigation for more than six months?

Mr. M. S. Doraswami Aiyangar: There are some difficulties, no doubt.

Mr. G. Narayana Aiyar: May I know whether Government cannot take up the question of deepening this part of the river?

Mr. M. S. Doraswami Aiyangar: We are deepening portions as difficulties arise now and then, as the deepening get silted up as quickly as we do the deepening.

Mr. G. Narayana Aiyar: What is the width of the river which they are widening year after year for the passage of Valloms?

Mr. M. S. Doraswami Aiyangar: We are widening a small portion for the passage of valloms but the work is just for the time being. This gets silted up again and is not very effective.

Commutation rate for Kandukrishi rent.

58. ***Mr. K. M. Kesavan**: Will the Government be pleased to state:

(*a*) whether they have fixed varying commutation rates with regard to the payment of rent on "Kandukrishi" lands; and

(*b*) if so, will they be pleased to state the principle involved in fixing these various rates?

Mr. M. Ramachandra Rao: (*a*) Yes.

(*b*) The rates were fixed on the basis of the average *nirak* rates of paddy in the various taluks?

Village Unions.

59. ***Mr. K. M. Kesavan**: Will the Government be pleased to state:

(*a*) the number of village unions and their respective places with reference to taluks;

(*b*) whether a village union has been sanctioned anywhere in the taluk of Karthikapalli; and

(*c*) if not, why not?

Mr. M. K. Nilakanta Aiyar (*Chief Secretary to Government*): (*a*) There are twenty-six village unions in the State.

They are the following:—

	Place of union.	*Taluk.*
1	Thazhakudi	Thovala
2	Suchindram	Agastiswaram
3	Eraniel	Kalkulam
4	Arumana	Vilavankod
5	Balaramapuram	Neyyattinkara
6	Kazhakuttam	Trivandrum
7	Vamanapuram	Nedumangad
8	Warkala	Chirayinkil
9	Pulinkunnu	Ambalapuzha
10	Thrikovilvattom	Quilon
11	Punalur	Pathanapuram
12	Aroor	Shertallai
13	Adoor	Kunnathur
14	Erezha	Mavelikara
15	Oachira	Karunagapalli
16	Mannar	Thiruvella
17	Elanthoor	Pathanamthitta
18	Achanputhoor	Shencotta

19	Kanjirapalli North	Changanacherry
20	Kumarakam	Kottayam
21	Thalayazham	Vaikom
22	Lalom	Meenachil
23	Kothamangalam	Muvattupuzha
24	Thodupuzha	Thodupuzha
25	Kalady	Kunnathunad
26	Kottuvalli	Parur

(*b*) No.

(*c*) The sanctioned number being 26. 26 Unions have been established only in selected localities.

Mr. K. M. Kesavan : Sir, from the list of taluks given here, it is found that the Karthikapalli taluk, which is one of the most populous taluks of the State, has been left out. May I know from the honourable member whether the case of Karthikapalli be considered when the establishment of Village Unions is considered next year ?

Mr. M. K. Nilakanta Aiyar : Yes, it will be considered.

Buses in Muvattupuzha-Munnar line.

60. * **Mr. E. K. Kuripe** : Will the Government be pleased to state :

(*a*) whether the three buses starting from Kottayam and Alwaye do not afford sufficient means of transport for the agriculturists and merchants proceeding from places like Muvattupuzha, Kothamangalam and Kavalangad to Mannankandam, Kallar, Pallivasal and Munnar ;

(*b*) whether any one has applied for permit to run a new service in the Munnar-Muvattupuzha line ; and

(*c*) what objection there is for giving permit to one or more buses to proceed to Munnar either from Muvattupuzha or from Kothamangalam ?

Khan Bahadur G. S. Abdul Karim Sahib Suhrawardy (*Inspector-General of Police*) : (*a*) Representations have been received that additional buses are necessary on this route.

(*b*) Yes.

(*c*) The matter is under consideration.

Mr. E. K. Kuripe : ഇതിനെ സംബന്ധിച്ചുള്ള റിപ്രസന്റേഷൻ കിട്ടിയിട്ടു എത്ര നാളായി എന്നു പറയാമോ?

Khan Bahadur G. S. Abdul Karim Sahib Suhrawardy : The matter has been considered and final orders have been passed since.

Mr. T. Krishna Pillai (*Kalkulam and Vilavankod cum Neyyattinkara*) : Sir, may I know whether the Government have considered the question of extending State Transport to this line ?

Khan Bahadur G. S. Abdul Karim Sahib Suhrawardy : I have no knowledge.

Mr. T. Krishna Pillai: May I know whether the Government will refer the matter to the Director of State Transport before sanctioning additional number of buses?

Khan Bahadur G. S. Abdul Karim Sahib Suhrawardy: So far as the line where the Transport system has not been introduced, the matter is with the Inspector-General of Police and I have been examining these questions.

Mr. T. Krishna Pillai; May I know from the Government whether the sanctioning of additional buses in a new road where the State Transport has not begun to operate will not cause considerable hardship to the people who have staked their all in this industry, especially, when those new lines are taken up by the State Transport system.

Khan Bahadur G. S. Abdul Karim Sahib Suhra wardy: This is a matter in which I cannot talk with any authority.

Mr. T. Krishna Pillai: May I know whether the Director of State Transport will not also be consulted in this connection?

President: How can the Inspector-General of Police answer that?

Khan Bahadur G. S. Abdul Karim Sahib Suhrawardy: I have told the honourable member that. But in spite of it he still persists.

Mr. T. Krishna Pillai: Sir, I want the answer from Government.

President: The honourable member may ask the Head of a Department regarding the working of that department. An appropriate question may be put which will elucidate the proper answer from the member of the Government who is responsible for that department. If the honourable member wants any answer now, the Chief Secretary may answer. If he wants time, he may claim notice.

Mr. T. Krishna Pillai: My difficulty is that if the Inspector-General is to sanction an additional number of buses without consulting the Director of Transport, will it not be causing great hardship to the people?

Mr. M. K. Nilakanta Aiyar: The Director of Transport will also be consulted.

Assignment of lands for cardamom and coffee plantation.

61. * **Mr. E. K. Kuripe:** Will the Government be pleased to state:

(*a*) the number of acres of land in each of the pakuthies of the Devicolam taluk assigned for cardamom cultivation in **1114**;

(b) the number of acres out of the above area assigned to persons who are not subjects of His Highness the Maharaja and the pakuthies in which those lands are situate ;

(c) whether the lands from the above taluk have been assigned for coffee cultivation ; if so, the number of acres of the land so assigned and the pakuthies comprising them ;

(d) whether such assignment was made to Travancoreans only ; and

(e) whether they propose to assign more lands in the same taluk ; if so, the names of the pakuthies concerned and the amount of tharavila fixed for the land ?

Mr. M. Ramachandra Rao :

		Acre.	*Cent.*
(a)	Poopara	132	4
	Udumbanchola	41	59
	Pallivasal	1,543	29
(b)	Poopara	92	54
	Udumbanchola	35	59

(c) As the period for which the information is required has not been specified, the information could not be furnished.

(d) This does not arise in view of the answer to part (c).

(e) There is no such proposal now pending before Government.

Necessity for opening a new road.

62. ✱**Mr. E. K. Kuripe :** Will the Government be pleased to state whether any enquiry has been made regarding the necessity for opening a road from the middle of the Kuzhikandam-Varapetty road to the vicinity of the mosque at Matharapally for the convenience of the agriculturists ?

Mr. M. S. Doraswami Aiyangar : Yes.

Accidents in the Alwaye-Munnar road.

63. ✱**Mr. E. K. Kuripe :** Will the Government be pleased to state :

(a) whether several accidents have taken place consequent on the two bends near the Kothamangalam hospital in the Alwaye-Munnar road not having been eased and the road widened ; and

(b) how long it is since the estimate and plan for easing the above bends were prepared.

Mr. M. S. Doraswami Aiyangar : (a) There was one accident.

(b) The estimate and plan are under preparation.

Pathway to Kothamangalam River.

64. ***Mr. E. K. Kuripe**: Will the Government be pleased to state the action taken on the petition presented by the people to the P. W. Department offering to surrender land free of compensation for providing a way to reach the Kothamangalam river, at the 6th furlong 11th mile of the Vazhakulam-Kothamangalam road?

Mr. M. S. Doraswami Aiyangar: The matter is under consideration.

Statement of roads pending completion in the Taluks of Muvattupuzha, Kunnatnad and Parur.

65. ***Mr. E. K. Kuripe**: Will the Government be pleased to lay on the table a statement showing the number of roads pending completion in the taluks of Muvattupuzha, Kunnatnad and Parur out of the roads sanctioned by Government till Karkatakam 1114; the number of them in respect of which construction work has yet to be started, the names of such roads; the amounts spent on each of them till now and the reason why they are left in incomplete stages; and the number of the above roads in respect of which work has been taken up this year?

Mr. M. S. Doraswami Aiyangar: A statement is laid on the table.

Grant of sites for commemorating the Dewan's sixtieth birthday.

66. ***Mr. E. K. Kuripe**: (1) Will the Government be pleased to state the number of applications received by them from the different parts of Travancore praying for the grant of certain areas for the construction at public expenses of several institutions, useful even to the future generation, in commemoration of the sixtieth birthday of the present Dewan of Travancore?

(2) Will they be pleased to lay on the table a statement showing the number of such applications, the names of localities and institutions for which sanction was accorded?

Mr. M. Ramachandra Rao: (1) 14.

(2) The †statement asked for is laid on the table.

Thakazhi-Edathua road.

67. ***Mr. K. K. Kuruvilla**: Will the Government be pleased to state:

(*a*) whether any action has been taken to start work in connection with—

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*Vide Appendix II—page 211.

†Vide Appendix III—page 213.

(i) Thakazhi-Edathua section of the Alleppey-Mundakayam road;

(ii) Cheriamuzhi and Valliathodu bridges in Ranni; and

(iii) Kozhencherry bridge, as the Deputy Chief Engineer said at the last session of the Council; and

(*b*) if not, will they be pleased to state when the work could be started and whether the two small bridges at Cheriamuzhi and Valliathodu could be completed this year?

Mr. M. S. Doraswami Aiyangar: (*a*) Yes.

(i) An estimate for the construction of Thakazhi-Edathua road 4th section of the Thiruvalla-Ambalapuzha road was estimated for along with the 5th section *viz.*, Thakazhi-Ambalapuzha road. It has since been proposed to estimate for the 4th section separately to be taken up as a war relief work.

(ii) *Cheriamoozhy bridge.* An estimate for Rs. 5,480 for the work has been prepared and sanctioned and it is awaiting execution for want of funds.

Valiathodu bridge. Estimate for the work is being prepared and the work will be taken up after sanction to the same with funds.

(iii) *Kozhencherry bridge.* The work will be taken up after getting an idea of the durability of the Thottapally bridge.

(*b*) This does not arise in view of the answer to part (*a*).

Mr. K. K. Kuruvilla: How long have we to wait for funds?

Mr. M. S. Doraswami Aiyangar: Funds will be provided as early as possible.

Mr. K. K. Kuruvilla: May we have any idea as to how long we will have to wait for the funds?

Mr. M. S. Doraswami Aiyangar: I think it will be possible to include the funds in the next year's budget.

Mr. K. K. Kuruvilla: May we know whether any doubt is entertained about the durability of the Thottapalli bridge?

Mr. M. S. Doraswami Aiyangar: Government do not have any doubt about the durability of that bridge.

Mr. K. K. Kuruvilla: Then, why is the construction of the Kozhencherry bridge postponed?

Mr. M. S. Doraswami Aiyangar: In constructing the Thottapalli Bridge a deviation was made from the ordinary bridge construction and Government want to make sure before they launch upon similar bridges.

Mr. K. K. Kuruvilla: May I know how much time will be required to make sure about constructing similar bridges?

Mr. M. S. Doraswami Aiyangar: It is not even one year since the Thottapalli bridge was constructed. We should wait at least for one or two years more.

Laws passed under Section 40 of the Legislative Reforms Act.

68. ***Mr. Kochikal P. Balakrishnan Tampi:** Will the Government be pleased to lay on the table a year-war statement showing the names and number of laws passed under Section 40 of the Legislative Reforms Act II of 1108?

Mr. Puthupalli S. Krishna Pillai (*Legal Remembrancer to Government*): *The statement is laid on the table.

Rice Mills in the State.

69. ***Mr. G. Narayana Aiyar:** Will the Government be pleased to lay on the table a statement showing:

(*a*) the number of the rice mills in the State which were working in 1113 or 1114;

(b) the total quantity of paddy milled in those mills in 1113 or 1114; and

(*c*) the number of persons in the State who were engaged in hand-pounding rice who were thrown out of employment by the existence of the mills in 1113?

Mr. C. Kumara Das (*Director of Industries*):

(*a*) Trivandrum Division—25 in 1113.
Quilon Division—97 in 1113.
Kottayam Division—146 in 1113.

(*b*) Trivandrum Division—720,000 paras in 1113.
Quilon Division—1,502,289 paras in 1113.
Kottayam Division—764,939 paras in 1113.

(*c*) information not available.

Mr. G. Narayana Aiyar: In regard to part (c) may I know from the member whether Government made any attempt to get the information?

Mr. C. Kumara Das: Attempts have been made for collecting the information regarding the number of people who were thrown out of employment.

President: How is that to be done?

Mr. C. Kumara Das: The Proverthicars have been asked to furnish the information.

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*Vide Appendix IV—page 214.

Bridge at Chavara.

70. * **Mr. K. M. Kesavan**: Will the Government be pleased to state how long it is since the bridge at Chavara on the Quilon-Alleppey line was declared unfit for heavy vehicle traffic?

Mr. M. S. Doraswamy Aiyangar: Since 3-7-1936.

Mr. K. M. Kesavan: From the date given it is clear that it is more than three yerrs since the bridge was declared unsafe for heavy traffic. May I know when the Government will be pleased to repair the bridge?

Mr. M S. Doraswami Aiyangar: The amount for investigation of the bridge will be included in the budget for the next year and the investigation will be done in that year.

Grievances of the ryots of Onattukara.

Mr. K. M. Kesavan: Will the Government be pleased to state:

(*a*) whether they have received certain resolutions passed in a meeting of the ryots of Onattukara held under the auspices of the "Onattukara Karshaka Mahajana Sabha" early in Meenom 1115; and

(*b*) if they have, will they be pleased to state what steps they have taken in respect of:

(i) remission or reduction of land tax on wet lands, the crop of which was a failure owing to rice-swarming caterpillar pest and unprecedented drought;

(ii) abolishing various commutation rates on the rent of the Kandukrishi lands;

(iii) abolishing the prohibitive tax as a penalty for conversion;

(iv) the deepening of canals and channels; and

(v) reduction of tax on cocoanut gardens on account of the severe and long drought?

Mr. M. Ramachandra Rao: (*a*) Yes.

(*b*) i to v. The matters are under enquiry.

Appendix I.

Vide Answer to Question No. 56

Statement showing the number of poramboke cases taken up in the years 1113 and 1114 in each of the taluks of Muvattupuzha, Kunnatnad, Devicolam and Parur and other particulars.

Taluk.	No. of poramboke cases taken in the years		No. of cases in which punishments were inflicted		Amount realised by way of fine					
	1113	1114	1113	1114	1113			1114		
					Rs.	ch.	c.	Rs.	ch.	c.
Muvattupuzha ...	464	753	377	478	547	1	0	998	14	0
Kunnathunad ...	292	339	233	256	185	2	0	89	18	0
Devicolam ...	188	269	139	117	474	20	0	1,048	8	0
Parur ...	141	161	105	144	302	4	0	412	0	0

Appendix II.

Vide Answer to Question No. 65.

Statement of roads pending completion in Muvattupuzha, Kunnatnad and Parur taluks out of the estimates for opening roads sanctioned till 12/1114.

Serial No.	Name of roads.	Expenditure to end of 20-5-15.	Taluk.	Remarks.
	Works yet to be taken up.			
1	Opening a central cross road IV section from M. C. Road to Muvattupuzha-Aracozha road. Estimate No. 3. ...	...	Muvattupuzha	To be taken up after the III section under "works taken up in 1115" is completed. Provision is being made in the draft budget for 1116.
2	Sri Chithira Thirunal Road. Opening a road from 5/1 Alwaye-Parur road to Kunammavu. ...	Rs. 1,992	Parur	Not taken up due to non-settlement of the final alignment of the road.
	Works taken up in 1115.			
1	Opening a central cross road from Muvattupuzha-Piravom road to Vazhakulam-Vazhithala road III Section from Marady-Mannathur road to M. C. road. Estimate No. 2. ...	Rs. 3,928-11-10	Muvattupuzha	Lands handed over and the work is in progress.

APPENDIX II—(*contd.*)

Serial No.	Name of roads.	Expenditure to end of 20-6-15.	Taluk.	Remarks.
	Incomplete works.			
1	Opening a central cross road from M. P. road to V. V. road V Section from Muvattupuzha-Aracozha road to Vazhakulam-Vazhithala road. Estimate No. IV. ...	Rs. 3,825-18-1	Moovattupuzha	Almost completed except a portion in the 9th mile for which lands are to be handed over. The bridge in this mile also remains to be taken up.
2	Opening a road from Kuzhicandom 3/6 H. R. road to meet 8th mile P. K. road II section ...	Rs. 6,050-14-12	Do.	Road work completed. Bridge at 4/8 is in progress.
3	Opening a road from Manjally to Thadicalkadavu ...	Rs. 10980	Parur	F. C. C. for the road work is since paid. The approaches to the crossing at Manjally and Chalakal remains to be taken up.

Appendix III.

Vide Answer to Question No. 66.

Statement showing the number of applications, the names of localities and institutions for which sanction was accorded.

No. of applications sanctioned.		*Details of the localities, institutions, etc.*
Trivandrum Division (4) ...	(1)	An extent of 1 acre of land in Survey No. 1382/349 of Nagercoil Pakuthy was granted to the Sachivottama Memorial Park Committee, Nagercoil, for the opening of a Park.
	(2)	75 cents in Survey Nos. 3150, 3151, 3164 and 3165 of Thuckalay Pakuthy for constructing a Town Hall.
	(3)	1 acre and 5 cents in Survey Nos. 2531 to 2534 and 2539 to 2543 of Changazhacherry Pakuthy, Trivandrum Taluk, for a Satrom.
	(4)	56¼ sq. links in Survey No. 2201 of Warkala Pakuthy for erecting a lamp post.
Quilon Division (2) ...	(1)	To put up a Maternity and Labour Ward in the Mavelikara Hospital.
	(2)	To put up a light in Survey No. 574/17 of the Adoor Pakuthy.
Kottayam Division (1) ...	(1)	The Veterinary Hospital compound at Kottayam measuring 77 cents was transferred to the Kottayam Municipal Council for opening a Public Park.

Appendix IV.

Vide Answer to Question No. 68.

Year-war statement of laws passed by His Highness the Maharaja under Section 40 of the Legislative Reforms Act.

1109.

1. The Travancore Sea Customs (Amendment) Act, I of 1109.
2. The Travancore Tea Cultivation Restriction Act, II of 1109.

1110.

3. The Travancore Hindu Religious Endowments (Amendment) Act, III of 1110.
4. The Travancore Newspapers (Amendment) Act, IV of 1110.
5. The Travancore Judgment Debtors' Temporary Relief Proclamation of 1110.
6. The Travancore Judgment Debtors' Temporary Relief (Second) Proclamation of 1110.
7. The Mathilakom Service Inam Lands Enfranchisement Proclamation.

1111.

8. The Travancore Sea Customs (Amendment) Act, V of 1111.
9. Proclamation dated 27-5-1111 abolishing royalty on trees standing on lands west of the M. C. and M. S. Roads.
10. The Italian Loans and Credits Prohibition Proclamation of 1111.

1112.

11. The Italian Loans and Credits Prohibition Proclamation of 1112 (repealing the previous Proclamation of 1111).
12. The Travancore Temple Entry Proclamation of 1112.
13. Proclamation dated 9th Vrischikam 1112 enacting certain Rules under the Temple Entry Proclamation.
14. Proclamation dated 9th Vrischikam 1112 rectifying the omission of the word 'Bala' before the words 'Ramavarma' in the name of His Highness the Maharaja.

1113.

15. The Travancore University Act, I of 1113.
16. The British Coinage Amendment Act, V of 1113.
17. The Coinage and Mint Amendment Proclamation, 1113.

1114.

18. The Travancore Criminal Law Amendment Act, I of 1114.
19. The Travancore Criminal Law Amendment Act, X of 1114.
20. Proclamation dated 28th Vrischikam 1114 constituting a special tribunal for the trial of certain sedition charges.
21. Proclamation, dated 17th Makaram 1114, amending the Proclamation of 4th Karkatakam 1093 re: Extradition between Travancore and Cochin.

22. Proclamation dated 5th Meenom 1114 to style all Regulations as Acts.
23. The Travancore Extradition Amendment Act, XVI of 1114.
24. The Travancore Registration of Foreigners Act, XVII of 1114.

1115.

25. The Defence of Travancore Proclamation, 1115.
26. The Foreigners Proclamation, 1115.
27. The Travancore Official Secrets Act, I of 1115.
28. The Travancore Dramatic Performances Act, II of 1115.
29. The Requisitioning of Vessels Proclamation of 1115.
30. The Travancore Petroleum Act, III of 1115.
31. The Travancore Arms Amendment Act, IV of 1115.
32. The Travancore Explosive Substances Act, V of 1115.
33. The Transfer of Aircraft and Vessels Restriction Proclamation, 1115.
34. The Travancore Press Emergency Powers Act, VI of 1115.
35. The Travancore Village Unions Act, IX of 1115.
36. The Travancore Insurance (Amendment) Act, XV of 1115.
37. Proclamation dated 12th Dhanu 1115 extending the operation of certain provisions of the Agriculturists' Relief Act by four months.
38. The Travancore Hindu Religious Endowments (Amendment) Act, XVI of 1115.
39. The Travancore Criminal Law (Amendment) Act, XVII of 1115.
40. Proclamation dated 9th Medom 1115 extending the operation of certain provisions of the Agriculturists' Relief Act till 1st Chingom 1116.
41. The Travancore Railways Act, XXII of 1115.
42. The Travancore Wireless Telegraphy Act, XXIII of 1115.

STATEMENT LAID ON THE TABLE.

Mr. S. Sundararajan (*Financial Secretary to Government*): Sir, under rule 76 of the Travancore Legislative Rules, I beg to lay on the table the following statement of expenditure authorised by the Government under Section 32 of Act II of 1108.

Demand.		Amount in Rupees.	Particulars.
III.	16. Administration of Justice —E. Law Officers' Department	3,000	For payment of fees to Vakils in connection with the prosecution of the Travancore National and Quilon Bank case.

	Demand.	Amount in Rupees.	Particulars.
III.	Administration of Justice Conciliation Offices	16,713	For the continuance of the Conciliation Boards till 1-12-1115.
X.	25. Medical, Public Health and Sanitation—Rural Sanitation	1,100	For providing sanitary arrangements at Peermade in connection with the stay of His Highness the Maharaja at the place.
XI.	Capital Expenditure—Providing dustless surfacing to the M. S. Road	2,200	For entertainment of additional staff for the dustless surfacing of M. S. Road.
XIII.	18. Police	20,000	For the continuance of the temporary Armed Reserve for a further period of 3 months from 1st Dhanu 1115.
Do.	Do.	52,178	For the continuance of the temporary Armed Reserve (excepting the Trivandrum District Reserve), the special Police Force and 10 Shorthand Reporters up to the end of 1115.
XIV.	21. Agriculture and Fisheries	180	For the appointment of a Motor Driver and Cleaner for 6 months as a temporary measure in the Government Dairy Farm.
XV.	22. Industries—Administration of Labour Laws	1,200	For additional staff and T. A. for the Inspectors of Factories.
XVI.	Commercial Transport—Working Expenses	1,34,380	For expenditure in connection with the Trivandrum-Kottayam Transport service during the year.
XVI.	Debt Head—Investments on Reproductive works —Transport Department	1,00,000	For the purchase of six Chevrolet chassis and other second hand buses for the Transport Department.
XXVIII.	30. Scientific and Miscellaneous Departments	4,000	For entertainment of additional staff for Census work from 1st Medom 1115.

	Demand.	Amount in Rupees.	Particulars.
XXIX.	41. Miscellaneous	19,500	To meet increased demands under the head "41.—Miscellaneous Miscellaneous."
XXXV.	D.H. Loan to the Port Conservancy Board,- Cochin for Harbour works, etc.	1,44,633	For payment of this Government's share (one-third) payable during the current financial year 1939-40 towards the cost of the proposed construction of a warehouse in the wharf area on the Willingdon Island and for other Harbour Works during 1115.
XXXIV.	D. H. Other Loans	1,52,678	For grant of a temporary loan to the State Aided Bank of Travancore, Ltd.

DEMANDS FOR SUPPLEMENTARY GRANTS.

DEMAND I—LAND REVENUE AND TAXES ON INCOME.

Mr. M. Ramachandra Rao: Sir, I rise to move for a supplementary grant of Rs. 500 under Demand I—Land Revenue and Taxes on Income. The purpose for which this sum is required is to meet the travelling allowance to the Deputy Income Tax Commissioner and his staff. A sum of Rs. 3,1‹0 was sanctioned in the Budget for the year, out of which about Rs. 520 had to be paid for the claims of last year and that is the reason why the amount for this year fell short by that amount. I can assure the House that in the present year the expenditure will be regulated so that there may not be any claims of this year to be paid in the next year. So, I request the House to sanction the additional grant of Rs. 500.

The motion was put and carried and the grant made.

DEMAND IX—MEDICAL.

Vaidyasastrakusala Dr. (Mrs.) M. Poonen Lukose (*Surgeon-General*): Sir, I rise to move for a supplementary grant not exceeding Rs. 1,600 under Demand IX—Medical Department, for special repairs to the Ophthalmic Hospital Buildings at Trivandrum. This amount is required to meet the cost of the repairs that have to be carried out in the main building in the Ophthalmic Hospital. The building being a very old one, there were many cracks and crevices in the floors and walls and the

[Mr. S. Sundararajan.]

plastering was crumbling to pieces. Various kinds of vermin and germs were found in these cracks. The annual repairs that were carried out every year could only improve the condition temporarily. In Vrischigom last the wards had to be closed and in-patients had to be removed for about three weeks because of an outbreak of chicken-pox, and this was taken advantage of to carry out the repairs in a more satisfactory manner. The old plastering was removed and the walls replastered ; concrete flooring was provided for the rooms upstairs and the wooden work was cleaned and varnished and re-painted. All these repairs have considerably improved the the building and made it more sanitary. These repairs were absolutely necessary. I trust that this House will pass the demand.

Mr. Kottur Kunjukrishna Pillai (*Quilon cum Kunnattur*): May I know whether this purpose could not wait till provision was made in the ordinary course in the budget for the next year ?

Vaidyasastrakusala Dr. (Mrs.) M. Poonen Lukose : I have already explained that patchwork repairs were being done every year, that did not improve matters appreciably. I have also stated that at the time of the outbreak of the chicken-pox in the Hospital the in-patient wards had to be closed and that occasion was taken advantage of for carrying out the repair works thoroughly. It would not be possible to do the repairs so throughly when patients are crowded in the wards which would be the case if we waited for the grant to be passed in the next budget session.

The motion was put and carried and the grant made.

DEMAND X—PUBLIC HEALTH AND SANITATION

Dr. M. K. Gopala Pillai (*Director of Public Health*) : Sir, I rise to move for a supplementary grant not exceeding Rs. 1,050 for additional T. A. to the District Health Officers. This amount was found necessary on account of the unexpected outbreak of plague in certain parts of the State. Therefore the District Health Officers have had to undertake considerable travelling for efficiently supervising the arrangements. The T. A. already provided was found to be insufficient and therefore I am requesting the House to pass this amount.

Mr. T. Krishna Pillai (*Kalkulam and Vilavankod* cum *Neyyattinkara*) : How many District Health Officers are there in the State now ?

Dr. M. K. Gopala Pillai : There are two ; one is at Kottayam and the other is at Neyyattinkara.

Mr. T. Krishna Pillai : May I take it that Rs. 525 is required for each of the District Health Officers for the remaining months of the year ?

Dr. M. K. Gopala Pillai: The expenses have already been incurred. The places where plague broke out were so distant; Munnar was one and Alleppey another and Quilon was the third and the District Health Officers at Kottayam and Neyyattinkara had to go to these places often and stay there.

The motion was put and carried and the grant made.

DEMAND XI—PUBLIC WORKS DEPARTMENT.

Mr. M. S. Doraswami Aiyangar: Sir, I rise to move for a supplementary grant not exceeding Rs. 69,700 for urgent works under the town planning scheme in Trivandrum, and other works. In moving this I may state that a sum of Rs. 1,99,000 was provided in the budget for 1115 for town planning works. Out of this an amount of one lakh of Rupees was allotted for the construction of the new office buildings which are being constructed near the Museum, and in consequence funds for other works such as shell-creting of the roads, were not available to the full extent. On the whole the programme of works required Rs. 2,60,000 for town planning and as more than 50 per cent of this allotment was taken away by the construction of the buildings near the Museum, it became difficult to provide funds for carrying the other urgent works. Out of this amount, however, a sum of Rs. 40,000 is available for diversion to the town planning works. So, the minimum additional grant required under this head will be Rs. 33,250. Besides this, a sum of Rs. 1,600 is required for maintenance of roads in proper condition and also small amounts of Rs. 1,000 and Rs. 450 are required for the maintenance of the Council Chamber and the wards in the General Hospital, which was not provided for in the Budget. On the whole the amount required for this purpose is Rs. 17,400. Owing to the shifting of the Armed Police Reserve a sum of Rs. 28,650 is required, but a sum of Rs. 10,000 has been got by diversion. Thus a total sum of Rs. 69,700 is required under these three heads as additional grant. There are some funds under the head "Military Works" but they could not be diverted without special sanction. Therefore I request the House to sanction this extra grant of Rs. 69,700.

The motion was put and carried and the grant made.

DEMAND XIII—POLICE.

Khan Bahadur G. S. Abdul Karim Sahib Suhrawardy: Sir, I rise to move for a supplementary grant under the following heads:—

(i) Installation of Telephones Rs. 1,700
(ii) Installation of electric lights Rs. 400
(iii) Additional T. A. for the Police Department Rs. 17,000

[Khan Bahadur G. S. Abdul Karim Sahib.]

With regard to the first item, the installation of telephones, I have found by experience that the telephones set up since the introduction of the trunk line have been mainly useful to me and to my department in carrying out work speedily and more effectively. So also with regard to item No. (ii) installed for the Reserve Police at Oolampara. As regards item No. (iii), this includes Rs. 14,000 which is last year's claim and which had to be met out of this year's allotment. So, what I am now asking for is an additional amount of Rs. 3,000 for T. A. for this year. This Rs. 3,000 we had to meet in view of the special political situation which the whole country had witnessed last year and a part of this year. In view of that situation, my officers, my men and myself had to be constantly on the move and as a result we had to spend this additional sum. I therefore request the House to pass this supplementary grant for Rs. 19,100.

Mr. Kottoor Kunjukrishna Pillai: I wish to say something with regard to this grant. Sir, regarding item No. (iii) we can understand that coming as a supplementary demand, as an emergent demand which could not have been anticipated. But I am not able to understand how the Inspector-General of Police can ask for a supplementary grant for telephones, the necessity for which I think he might have noticed even before the beginning of this year or at the time the last budget was prepared. Even then he might have known that telephones can be very useful to the police authorities and that they could be used by the Department for doing work expeditiously.

I cannot accept it for a moment that the idea has dawned on the Inspector-General of Police all on a sudden in the middle of the year that the telephone is a very useful contrivance and so Rs. 1,700 has become urgently necessary which could not have been anticipated at the time of the regular Budget and which could not wait till the next session of the Budget when the demand could have been made in the usual course. I think, Sir, that these demands are made because, the Heads of Departments have not understood the rules regarding the provision regarding supplementary grants. Supplementary grants cannot be asked for at the whim and fancy of the Departmental Head or at the time when a new idea strikes him. There are certain conditions, certain circumstances under which alone, supplementary grants can be justified. It is time that that should be understood; it is time that the House insists upon it, because it is a matter in which the House ought to be interested as it has to exercise a financial control over expenditure incurred by Government.

Regarding the expenditure of Rs. 400, I have to say a word. The explanation given by the Inspector-General is not satisfactory.

Mr. Puthupally S. Krishna Pillai May I interrupt, Sir. Sir, telephone connections could not be made before the Trunk Telephone work was completed and that work was over only recently. Again, telephone installations are needed for district headquarters only and not in any place in Trivandrum.

Mr. Kottoor Kunjukrishna Pillai: I was not told anything about the nature of the telephone connection when the Inspector-General explained the matter. The only thing that I want to insist is that the necessity for a supplementary demand should be properly explained, when the demand could not have been anticipated at the time of the preparation of the regular Budget, the demand is perfectly legitimate. So also, the expenditure of Rs. 400 has not been properly explained. Though that is only a small sum, the principle has to be established, and satisfactory explanations must be forthcoming.

Mr. Kochikal P. Balakrishnan Tampi: Sir, the Inspector-General has now come forward with a supplementary demand for three items. This is not the time to discuss the general policy of the Police Department. Therefore, Government and the Inspector-General must understand that this is not the time to ask for a large sum of money for expenses. Rather, I cannot vote for a liberal expenditure on the score of political menace which insist the police officers being always on the move over the telephone in respect of insurrections, riots etc., in different corners of the land. I can however give an indication as to which way this House is feeling, namely, that at the next year's Budget, such stories, though good enough in their own way, must not in any way entail large expenditure of the public funds.

President: But that largely depends on the persons just outside the border of this land.

Khan Bahadur G S. Abdul Karim Sahib Suhrawardy: Sir, as regards item No. (i), a partial explanation was given by the Legal Remembrancer. I may add that the introduction of the Trunk Telephone could not have been anticipated. It came into existence only just recently. That is why a supplementary demand has been asked for now.

As regards the expenditure of Rs. 400, perhaps the honourable member will be satisfied if I tell him that this came up in view of the shifting of the temporary Reserve from its old residence to Oolampara. At that place, there was no electric installation. I had to move Government for an additional sum for electrical installation. Hence the need for such a small grant.

The motion that Government be granted a sum of Rs. 19,100 under Demand XIII—Police was put to vote and carried.

The grant was made.

DEMAND XV—INDUSTRIES INCLUDING CLAY REFINING AND PORCELAIN FACTORY.

Mr. C. Kumara Das: Sir, I beg to move an additional grant of Rs. 43,000 under Demand XV—Industries including Clay Refining and Porcelain Factory, for Capital Expenditure and working expenses of the Ceramic Factory.

This amount of Rs. 43,000 is made up of Rs. 30,000 towards capital expenditure and Rs. 13,000 towards the working expenses. At the beginning of the year we anticipated that a low output of clay would be enough to meet the demands. But during the course of the year, we were peculiary fortunate in securing a good market. Therefore we had to increase the output of the factory. In the course of operations to increase the output, certain additional works had to be dcne. On account of additional works, this additional grant is required.

As a result of the outbreak of war, the expenses have increased. The materials have gone up in value. As a consequence of the unexpected increase in cost of material, the working expenses too have gone up. I request the House to grant this expenditure.

The motion that Government be granted a sum of Rs. 43,000 under Demand XV—Industries including Clay Refining and Porcelain Factory was put to vote and carried.

The grant was made.

DEMAND XIX—AYURVEDA.

Mr. G. Narayanan Tampi (*Secretary to Government*): Sir, I beg to move for a supplementary grant of Rs. 2,000 under Demand XIX—Ayurveda. This is for the purchase of medicines for the Government Ayurveda Hospital, Trivandrum. The budget allotment under this item in the current year is Rs. 7,000. As pointed out by the honourable member Mr. Kottur Kunjukrishna Pillai there are definite rules regulating the demands for supplementary grants. Such demands are made only when a new service comes up all on a sudden in the course of the year, not anticipated when framing the budget or when the sanctioned grant is found insufficient. The present demand comes under the latter category.

The budget grant under this head is only Rs. 7,000 as already stated. This has been found inadequate as the year draws to a close mainly because of the phenomenal increase in the number of patients, both in the in-patient and in the out-patient wards of the

Ayurveda Hospital. The average daily attendance during 1114 was about 22 per cent. whereas during 1115 it has come up to 28·43 per cent. Further, the number of in-patients during the period ending the 31st Idavam 1114 was about 72,000 whereas, for the corresponding period in the current year it is very nearly 76,000. An additional ward too has been opened quite recently, *viz.*, the Panchakarma Ward, where massage and other modes of oil treatment are being carried on. Both for conducting treatment in this ward and for training up pupils in the *pizhichil*, *ozhichil*, *kizhi* and such other methods of oil treatment, a trained Ayurvedic Physician has been appointed. It may be of interest to the honourable members of this House to hear that, in so short a period as about one month, as many as about 38 successful cases have been handled by the Panchakarma specialist, including certain serious cases of chronic paralysis. These are the circumstances which necessitate the additional allotment asked for. I hope the House would have no objection to sanction the grant.

The motion that Government be granted an additional sum of Rs. 2,000 for purchase of medicines for the Government Ayurveda Hospital, Trivandrum was put to vote and carried.

The grant was made.

LEGISLATIVE BUSINESS.

THE TRAVANCORE REGISTRATION ACT (AMENDMENT) BILL.

Mr. Puthupally S. Krishna Pillai: Sir, I beg to move that the Travancore Registration Act (Amendment) Bill as passed by the Assembly be taken into consideration.

Mr. M. S. Doraswami Aiyangar: Sir, I second it.

Mr. Puthupally S. Krishna Pillai: I may be permitted to say a few words by way of explanation in this connection. The Bill proposes to add a new Section to the Registration Act and to omit another section *viz.*, Section 48. The honourable members may be pleased to note that the new section is proposed for avoiding hardships that may arise in certain cases. Under the Registration Act, as it stands, a document has to be presented for registration by a duly authorised agent. A document which has not been so presented and registered will be invalid. No title, right or interset can be created, extinguished or transferred under an invalid document. It sometimes happens that a person who is supposed to be duly authorised but who in law is not, gets a document registered and its effect is discovered only after the matter is litigated upon. But there is no rule now available under the law

[Mr. Puthupally S. Krishna Pillai.]

by which parties concerned will be entitled to get the document properly registered. To cure this defect an amendment to the Registration Act was made in British India. Our Act is based on the British Indian Act and therefore it was considered that a similar provision should be enacted here also. Hence clause 2 proposing the additional Section 28 (A).

Again, deletion of Section 48 under the old Act is also proposed. It is an unnecessary provision. It provides that the Sub-Registrar shall at the end of every month prepare a copy of every entry made by him in indices Nos. 1, 2 and 4 and forward such copies to be filed in the Central Records Office. After inquiry it is found that the records so filed and kept serve no useful purpose whatever to the parties concerned or to the public. Originals of these records are available in the various sub-registry offices and there is ample provision in the Act for parties to get copies of them from those offices. The filing of copies in the records was done with a view to check the work in sub-registry offices. Probably it was intended as a provision against any remissness on the part of Sub-Registrars in the discharge of their duties.

The supervision work of the District Registrar is so regulated now by proper rules that no such provision is any longer needed. The District Registrars inspect their subordinate offices and regularly report to the head office. The corresponding section in the British Indian Act has been repealed. Government have carefully considered the matter and are satisfied that the continuance of this porvision *viz.*, Section 48 is unnecessary. Hence the Bill was introduced in the Assembly and accepted without any amendment.

The motion that the Bill be taken into consideration was put to vote and carried.

Clauses 1 to 3.

The question that clauses 1 to 3 do form part of the Bill was put and carried.

The clauses were added to the Bill.

Preamble and Title.

The question that the preamble and title do form part of the Bill was put and carried.

The preamble and title were added to the Bill.

Mr. Puthupally S. Krishna Pillai: I move that the Bill be passed.

Mr. M. S. Doraswami Aiyangar: I second it.

The motion was put and carried and the Bill was passed.

Mr. Puthupally S. Krishna Pillai: I beg to move that the Government Trading Taxation Bill as passed by the Assembly be taken into consideration.

Mr. M. S. Doraswami Aiyangar: I second it.

Mr. Puthupally S. Krishna Pillai: I may be permitted to say a few words by way of explanation. Under the existing law, foreign Governments carrying on trade or business in this State and making profits are not liable to taxation because there is no law empowering this Government to Tax such Governments. The reason is that the Crown is not bound by an Act which is not made specifically applicable to the Crown. This objection has prevailed in one or two cases. But the other Governments where such measures have been enacted have found it possible to tax this Government. So it is found necessary to enact a measure similar to the Act prevailing in British India and other States. This Bill was introduced and passed in the Lower House.

The motion that the Bill be taken into consideration was put and carried.

Clauses 1 and 2.

The question that clauses 1 and 2 do form part of the Bill was put and carried.

The clauses were added to the Bill.

Preamble and Title.

The question that the preamble and title do form part of the Bill was put and carried.

The preamble and title were added to the Bill.

Mr. Puthupally S. Krishna Pillai: I beg to move that the Bill be passed.

Mr. M. S. Doraswami Aiyangar: I second it.

The motion was put and carried. The Bill was passed.

President: The House will now adjourn and meet again to-morrow at 11 A. M.

The House adjourned at 11-50 A. M.

A GUNAMONY,

Secretary to the Sri Chitra State Council.

PROCEEDINGS

of

THE TRAVANCORE SRI CHITRA STATE COUNCIL

(*OFFICIAL REPORT*)

SECOND COUNCIL.

VOLUME XV – NUMBER 6.

SIXTH SESSION—1115/1940.

Tuesday, the 12th Mithunam, 1115/25th June, 1940.

The Travancore Sri Chitra State Council met in the Legislative Chamber, Public Offices, at eleven of the clock, with Sachivottama Sir C. P. Ramaswami Aiyar, K. C. I. E., LL. D., Dewan-President, in the Chair.

MEMBERS SWORN.

The following members took the oath and signed the rolls :—

1. Mr. A. Gopala Menon (*Director of Public Instruction*)
2. Mr. K. R. Narayana Aiyar (*Director of Agriculture and Fisheries*).
3. Mr. P. Raman Pillai (*Conservator of Forests*)
4. Mr. K. Sankaran (*Ag. Secretary to Government.*)

QUESTIONS AND ANSWERS.

Volunteers in the Anchal Department.

72. ***Mr. K. K. Kuruvilla** (*Mavelikara and Tiruvella cum Pattanamtitta*) : Will the Government be pleased to lay on the table a statement giving the following information regarding the volunteers in the Anchal Department ;

(*a*) the names of volunteers confirmed after Chingom 1114 and not confirmed till now ; and

(*b*) their communities, their qualifications, and the time when they made their deposits ?

Mr. M. K. Nilakanta Aiyar (*Chief Secretary to Government*): (*a*) and (*b*) Two *statements furnishing the information are laid on the table.

* *Vide* Appendix I A & I B pages 235—239.

Cold Storage Plant.

73. *Mr. T. K. Kittan (*Vaikom, Kottayam and Changanacherry cum Peermade*): Will the Government be pleased to state:

(*a*) whether it is possible to preserve fish in the manner intended by the installation of the Cold Storage Plant in the Connemara market, Trivandrum;

(*b*) if so, to what extent; and

(*c*) will they be pleased to lay on the table a brief statement describing the present working of the Cold Storage plant?

Mr. G. Narayanan Tampi (*Secretary to Government*):

(*a*) Yes.

(*b*) About six tons for six to eight months, if required.

(*c*) The Plant is not being worked at present owing to some trouble in one of the motors.

Abkari arrears.

74. *Mr. T. K. Kittan: Will the Government be pleased to state:

(*a*) the amount in arrears under abkari till 32-12-1114; and

(*b*) the amount realised under arrears till the end of Medom 1115?

Mr. M. K. Nilakanta Aiyar: (*a*) Rs. 6,12,814-25-3.

(*b*) Rs. 12,967-25-8.

Mr. T. K. Kittan: അബ്കാരി ഇനത്തിൽ പിരിഞ്ഞുകിട്ടാനുള്ള ആറു ലക്ഷത്തിൽ ചില്ലാനം രൂപയിൽ പന്തീരായിരത്തിൽ ചില്ലാനം രൂപമാത്രമെ പിരിഞ്ഞു കിട്ടിയിട്ടുള്ളതായി കാണുന്നുള്ളു. ഇത്ര മാത്രം കുറയുന്നതിനുള്ള കാരണം എന്താണു?

Mr. M. K. Nilakanta Aiyar: കുടിശ്ശിഖ ഇനത്തിലുള്ള തുക വളരെ കൂടുതലായിട്ടാണിരുന്നതു. ഇപ്പോൾ കുറേശ്ശ കുറേശ്ശ പിരിച്ചുവരികയാണു.

Mr. T. K. Kittan: ഈ കുറവു സാമ്പത്തികാധഃപതനം കൊണ്ടല്ലേ സംഭവിച്ചിട്ടുള്ളതു്?

Mr. M. K. Nilakanta Aiyar: അല്ല

Petitions for a grant-in-aid vishavaidyasala.

75. *Mr. E. K. Kuripe (*Parur, Kunnatnad and Muvattupuzha cum Devicolam*): Will the Government be pleased to state:

(*a*) whether the people have petitioned Government for the opening of a grant-in-aid vishavaidyasala anywhere in the Kothamangalam, Enanalloor and Kuttamangalam pakuthies; and

(*b*) if so, the action taken thereon?

Mr. G. Narayanan Tampi: (*a*) Yes.

(*b*) The matter is under consideration.

Mr. E. K. Kuripe: ഈ സ്ഥലത്തു് ഒരു വൈദ്യശാല ആവശ്യമാണെന്നുള്ള സംഗതി ഗവൺമെൻറിനു ബോദ്ധ്യപ്പെട്ടിട്ടുണ്ടോ ?

Mr. G. Narayanan Tampi: ഈ സംഗതിയിൽ വേണ്ട അന്വേഷണങ്ങൾ നടത്തിവരികയാണു്,

Grants to Siddha vaidya hospitals.

76. ***Mr. M. Sultan Muhiadheen** (*Trivandrum and Nedumangad* cum *Chirayinkil*): Will the Government be pleased to state:

(*a*) whether the Ayurveda Department has recommended to Government hospital grants to any Siddha marma vaidyasala; and

(*b*) if so the date on which and the vaidyasalas with reference to which such recommendation was made?

Mr. G. Narayanan Tampi (*a*) Recommendations made to Government by the heads of departments are confidential.

(*b*) This does not arise in view of the answer to part (*a*).

Assigning disafforested lands for Agricultural purposes.

77. ***Mr. E. K. Kuripe**: Will the Government be pleased to state whether they propose to assign by disafforesting from the reserve an area two miles wide on either side of the Neriamangalam-Pallivasal road with a view to protect the roads and to improve agriculture?

Mr. P. Raman Pillai (*Conservator of Forests*): No.

Mr. T. Krishna Pillai (*Kalkulam and Vilavankod* cum *Neyyattinkara*): May I know from Government whether they would consider this question of assigning lands on either side of the Neriamangalam-Pallivasal Road?

Mr. P. Raman Pillai: That question has been considered.

Tenders in the Forest Department.

78. ***Mr. E. K. Kuripe**: Will the Government be pleased to state whether after returning on the same date the deposits of tenderers other than the lowest tenderer for the removal and transport of timber to depots as per the notification of the Forest Department it is usual to give the contract to the rejected tenderer without publishing a second notification, and if so, the reason for that procedure?

Mr. P. Raman Pillai: No. It is not usual to give the contract to the rejected tenderer without publishing a fresh notification.

Mr. E. K. Kuripe: ഈ വിധത്തിലുള്ള കാൺട്രാക്റ്റ് വേറെ വല്ലവർക്കും കൊടുത്തിട്ടുണ്ടോ ?

Mr. P. Raman Pillai: സ്പെസിഫിക്കായി ചോദിക്കുകയാണെങ്കിൽ അതിനെപ്പററി ഉത്തരം പറയാം.

Mr. E. K. Kuripe: ഈ രീതിയിൽ വേറെ വല്ലവർക്കും കൊടുത്തിട്ടുണ്ടോ ?

Mr. P. Raman Pillai: സാധാരണയായി ഇല്ലെന്നു മറുപടി പറഞ്ഞുകഴിഞ്ഞു,

Crude-oil buses.

79. ***Mr. K. M. Kesavan** (*Karunagapalli, Kartikapally and Ambalapuzha* cum *Shertallai*): Will the Government be pleased to state:

(*a*) the number of crude-oil buses got down for the Transport Department;

(*b*) the number of the same that are used for service;

(*c*) the number of the same that are lying idle or are not in wr king order; and

(*d*) the number of petrol buses in the department?

Mr. K. Sankaran: (*a*) None.

(*b*) and (*c*) do not arise.

(*d*) 67.

Mr. K. M. Kesavan: In respect of answer to part (*a*) it is stated "none" and in respect of answer to part (*d*) it is stated "67" May I know how does this difference arise?

Mr. K. Sankaran: Part (*d*) of the question refers to Petrol Buses and the answer is given accordingly. And part (*a*) refers to Crude oil Buses and for that the answer is given. That makes all the difference.

Publication of notice re Neriamangalam Reserve.

80. ***Mr. E. K. Kuripe:** Will the Government be pleased to state whether the final notification regarding the Neriamangalam reserve has been published?

Mr. P. Raman Pillai: Yes. It was published in the Gazette dated 16-4-1907/3-9-1082, Part I, Page 414.

Mr. E. K. Kuripe: സർവെ ചെയ്തു ഫൈനൽ റിക്കാർഡ് പൂർത്തിയായതിനു ശേഷമാണോ നോട്ടിഫിക്കേഷൻ കൊടുത്തിട്ടുള്ളത്?

Mr. P. Raman Pillai: അല്ല.

Cutting of Elavu trees inregistered holdings.

81. ***Mr. E. K. Kuripe** (1) Will the Government be pleased to state whether the officers of the Forest Department have taken stock of the Elavu trees in registered holdings without the permission of the owners of these holdings informing the latter that they have no right on such trees?

(2) Will they be pleased to lay on the table a statement showing the taluks in which such trees were counted, the number of such trees and their cubic contents in terms of candies?

Mr. P. Raman Pillai: (1) Stock of Elavu trees in registered holdings has been taken out not without the permission of the owners of the holdidgs, nor after informing them that they had no right on such trees?

(2) No Taluk-war statement is available.

Forced bribe near Edapally Chowkey.

82. ***Mr. E. K. Kuripe**: Will the Government be pleased to state whether they have received any complaints to the effect that those who pass through the surroundings of the Excise chowkey at Edapally with any goods are compelled to give bribes to the Excise Officers there?

Mr. M. K. Nilakanta Aiyar: No. They have not received any such complaints.

Issue of licenses for fire-arms.

83. ***Mr. E. K. Kuripe**: (i) Will the Government be pleased to state the number of fire arms in the State in respect of which licenses were issued till the end of 1113 and the number out of them for which license was issued for the protection of crops?

(2) will they be pleased to lay on the table a statement showing the number of fire arms deposited by the owners in each of the police stations in the state and the number in respect of which a period of one month has elapsed since the date of deposit?

(3) will they be pleased to state:

(*a*) the number among the deposited arms which have licenses in force, the number in respect of which applications for the renewal of licenses have been made and the amount that Government realised by way of granting licenses;

(*b*) the number of persons prosecuted during 1113 and 1114 for using guns without license; and

(*c*) whether up to 1113 all persons, who after applying for renewal of licenses, kept possession of their guns till the date of the renewal, have been duly punished?

Mr. K. Sankaran: (1) 6609. 2547.

(2) The statement* is laid on the table.

(3) (*a*) 872 ; 942; Rs. 4,009.

(*b*) 76.

(*c*) Most of them were punished.

Mr. E. K. Kuripe: കാട്ടു മൃഗങ്ങളുടെ ഉപദ്രവത്തിൽ നിന്നു കൃഷിയെ രക്ഷിക്കുന്നതിനു തോക്കുകൾ വളരെ അത്യാവശ്യമാണ്. ലൈസൻസിനു അപേക്ഷിക്കുന്ന തോക്കുകൾക്കു് അതു കൊടുക്കാതെയിരിക്കുന്നതിനുള്ള കാരണം എന്താണ് ?

Mr. K. Sankaran: തോക്കിന്റെ ലൈസൻസ് റിന്യൂ ചെയ്യുന്നതിനു അപേക്ഷിച്ചാൽ അതിനെപ്പററി അന്വേഷണം നടത്തി ലൈസൻസ് കൊടുക്കാവുന്നതാണെങ്കിൽ കൊടുക്കുന്നുണ്ടു്.

Mr. E. K. Kuripe: അങ്ങിനെ ലൈസൻസ് കൊടുക്കുന്നതിനു ഇത്ര അധികം കാലം തോക്ക് ഗവണ്മെൻറിന്റെ കൈവശത്തിൽ വച്ചുകൊണ്ടിരിക്കുന്നതു് എന്തിനാണ് ?

Mr. K. Sankaran: അന്വേഷണം പൂർത്തിയാകാത്ത കാരണത്താൽ മാത്രമേ ലൈസൻസു കൊടുക്കാതിരിക്കുകയുള്ളു.

Mr. E. K. Kuripe: ഇനിമേലെങ്കിലും ചുമതലയുള്ള ഒരാളിനെ ഏർപ്പെടുത്തി വേണ്ട അന്വേഷണം നടത്തി ലൈസൻസുകൾ എളുപ്പം കൊടുക്കുന്നതിനു ശ്രദ്ധിക്കുമോ ?

Mr. K. Sankaran: ചുമതലയുള്ള ഉദ്യോഗസ്ഥൻ കഴിയുന്നതും വേഗത്തിൽ അന്വേഷണം നടത്തി തന്നെയാണ് ഇപ്പോഴും ലൈസൻസുകൾ കൊടുത്തുകൊണ്ടിരിക്കുന്നതു്.

Transport buses on the Trivandrum—Nagercoil line.

84. ***Mr. K. M. Kesavan**: Will the Government be pleased to state :

(*a*) whether the transport buses plying on the Trivandrum—Nagercoil line frequently get into disorder, stop on the way and cause considerable inconvenience and delay to the passengers ; and

(*b*) if so, the steps they have taken to avoid disorders and consequent delays ?

Mr. K. Sankaran: (*a*) No.

(*b*) This does not arise.

Rush in Transport buses.

85. ***Mr. K. M. Kesavan**: Will the Government be pleased to state :

(*a*) whether there is a rush of passengers on the Trivandrum—Neyyattinkara and Trivandrum—Nagercoil lines every week days between 5 and 7 p. m. ; and

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*Vide Appendix II. pages 239—240.

(*b*) if so, what they have done to meet this demand?

Mr. K. Sankaran : (*a*) Yes.

(*b*) The existing service is found to be adequate to meet the demands.

Mr. Kottur Kunjukrishna Pillai (*Quilon* cum *Kunnattur*) : With reference to answer to part (*b*) may I know from the member whether it is a fact that notification has been published in the buses providing for the standing accommodation of persons in the bus?

Mr. K. Sankaran : Few passengers are allowed to stand in the buses, if the number of passengers are in excess of the seating accommodation provided.

Mr. Kottur Kunjukrishna Pillai : May I know the number of persons allowed in each of the buses for standing accommodation?

Mr. K. Sankaran : The maximum is five. But that will depend upon the nature of the bus.

Mr. Kottur Kunjukrishna Pillai : May I know whether the same amount of fare is collected from these persons who were allowed standing accommodation?

Mr. K. Sankaran : Yes, But the option is given to the passenger to enter the bus under such conditions, only if he is willing to stand.

Mr. Kottur Kunjukrishna Pillai : May I know whether the wishes of passengers who sit on either side are consulted in giving standing accommodation to other passengers?

Mr. K. Sankaran : These persons are allowed to stand in such a way as to cause the least inconvenience to other passengers who are sitting.

Mr. Kottur Kunjukrishna Pillai : May I know whether it is not a fact that in certain cases where there is no convenience for passengers even to hold on people are allowed to stand causing thereby considerable inconvenience to persons who are seated?

Mr. K. Sankaran : Government are not aware of such a situation.

Extension of State Transport to the Quilon—Alleppey line.

86. ***Mr. K. M. Kesavan :** Will the Government be pleased to state:

(*a*) whether they propose to extend the transport buses on the Quilon—Alleppey line;

(*b*) if they do, when they will extend; and

(*c*) when extended, will the buses be plying on the present line or take a shorter and direct route, *i. e.*, from Kayancolam to Nangiarkulangara *via.* Keerikkad and Cheppad?

Mr. K. Sankaran: (a) Yes.

(b) The date has not been fixed.

(c) This will be considered.

Rate of fees for valuing answer papers.

87. ***Mr. K. M. Kesavan:** Will the Government be pleased to state :

(a) the rates of remuneration for valuing the English and Malayalam answer books of the Malayalam High School ; E. S. L. C. and V. S. L. C. examinations per hour ;

(b) if they are different, why they are so ;

(c) when the existing rates were fixed ; and

(d) whether they have received any representation to enhance the rate for Malayalam answer books ?

Mr. A. Gopala Menon (*Director of Public Instruction*):

(a) The rates of remuneration for valuing the answer papers are as follows :—

English.		*Rate per hour.*
		Ch.
E. S. L. C. Examination		4 2/3
High School	Do.	3 3/5
Middle School	Do.	3 3/5
Malayalam.		
E. S. L. C. Examination		4
High School	Do.	3
Middle School	Do.	3

(b) The rates are different because of the varying difficulty in the valuation of the answer papers.

(c) In 1932.

(d) No.

Dismissal of an Headmaster in a Private School at Muvattupuzha.

88. ***Mr. E. K. Kuripe:** Will the Government be pleased to state:

(a) whether orders were passed for the removal of the Headmaster of an English High School under private management in the Muvattupuzha taluk ; and

(b) if so the name of the school and the reasons for which the Headmaster was removed ?

Mr. A. Gopala Menon: (a) Yes.

(b) St. John's English High School, Vadakara, for official irregularities.

Appendix No. I (A)

***Vide* Answer to Question No. 72.**

Name of volunteers confirmed after Chingom 1114.

No.	Name.	Caste.	Date of deposit of security.	Qualifications. General.	Qualifications. Special.
1	P. K. Ponnen	Ezhava	21-3-101	E.S.L.C.	Anchal Test & Account Test.
2	M. N. Krishna Pillai	Nair	14-7-102	do.	Anchal Test.
3	Velayudhan	Ezhava	3-10-102	do.	do.
4	V. N. Ramakrishna Pillai	Nair	30-10-102	do.	do.
5	K. Parameswaran Pillai	do.	30-10-102	do.	do.
6	P. K. Gopalan	Ezhava	15-3-103	do.	do.
7	T. K. Gopala Panicker	Nair	3-2-104	do.	do.
8	P. Velukutty Pillai	do.	19-2-104	do.	do.
9	P. E. Abraham	Marthoma	1-11-104	do.	do.
10	N. J. Mathew	do.	2-9-106	Exempted	Exempted
11	R. Aundy Pillai	Other Hindu	8-9-106	E.S.L.C.	Anchal Test.
12	K. Balakrishnan Chettiyar	do.	27-10-106	Intermediate	do.
13	R. Devaraja Iyer	Brahmin	17-1-107	E.S.L.C.	do.
14	M. M. Sosamma	Marthoma	18-1-107	do.	do.
15	M. V. Varghese	Jacobite	8-3-107	Intermediate	do.
16	M. M. Kos'.y	Marthoma	11-3-110	E.S.L C.	do.
17	N. Krishna Iyer	Brahmin	13-7-110	do.	do.
18	P. S. Krishnan Nair	Nair	26-12-111	B. A.	do.
19	K. Raghavan	Ezhava	9-6-112	Exempted	Exempted
20	Mani Kora	Jacobite	9-6-112	do.	do.
21	Bhaskaran Moothathu	Other Hindu	3-11-103	E.S.L.C.	do.
22	K. Zacharia	Jacobite	3-12-103	do.	do.
23	K. Balakrishna Pillai	Nair	2-2-106	do.	do.
24	M. O. Oonnittan	Jacobite	7-5-106	do.	do.
25	T. M. Cherian	do.	1-6-106	do.	do.
26	P. K. Vasudeva Panicker	Nair	10-6-106	do.	do.
27	Geevarghese Chacko	Marthoma	13-10-106	do.	do.
28	V. J. Anna	S. I. U. C.	28-10-106	do.	do.
29	C. P. George	Marthoma	19-12-106	do.	do.
30	M. P. Philip	S. I. U. C.	17-1-107	do.	do.

Appendix I. (B)

Vide **Answer to Question No. 72**

List of Clerk Volunteers not confirmed till now.

No.	Name.	Caste.	Date of deposit of security.	Qualification. General.	Qualification. Special
1	M. Parameswaran Pillai	Nair	19-1-1107	E.S.L.C.	Anchal Test.
2	G. Sivapalan	Ezhava	22-1-1107	,,	,,
3	V. George Daniel	Jacobite	25-1-1107	,,	,,
4	M. N. Krishnan Nair	Nair	30-1-1107	,,	,,
5	K. M. Kurien	Jacobite	1-2-1107	,,	,,
6	A. K. Kurien	Marthoma	1-2-1107	,,	,,
7	N. K. Issac	Jacobite	6-2-1107	,,	,,
8	N. I. Chacko	Roman Catholic Syrian	7-2-1107	,,	,,
9	M. D. Kuruvila	Jacobite	8-2-1107	,,	,,
10	V. C. Kuriakose	,,	16-2-1107	,,	,,
11	T. C. Chacko	,,	28-2-1107	,,	,,
12	K. M. Varughese	Marthoma	31-2-1107	,,	,,
13	P. O. Itty Panicker	,,	6-3-1107	,,	,,
14	P. K. Sankara Pillai	Nair	12-3-1107	,,	,,
15	P. Gopala Pillai	,,	18-3-1107	,,	,,
16	T. E. Philip	Jacobite	26-3-1107	,,	,,
17	C. K. Joseph	Syrian Catholic	1-4-1107	,,	,,
18	G. Devasahayam	Latin Catholic	21-4-1107	,,	,,
19	Thankamma Geevarghese	Jacobite	22-4-1107	,,	,,
20	K. V. Idicula	,,	25-4-1107	,,	,,
21	V. G. Mathew	,,	29-4-1107	,,	,,
22	Chandy P. Koshy	Church of England	29-4-1107	,,	,,
23	Nainan Thomas	Marthoma	29-4-1107	,,	,,
24	M. Mathai Panicker	Jacobite	29-4-1107	,,	,,
25	Arulappa Pillai	Latin Catholic	20-5-1107	,,	,,
26	R. Bharathy	Ezhava	6-8-1107	,,	,,
27	P. J. Cheriyan	Syrian Catholic	8-11-1107	Intermediate.	,,
28	K. I. Thomas	Marthoma	5-12-1107	E.S.L.C.	,,
29	J. J Ebeneser Pradeepam	S. I. U. C.	4-1-1108	,,	,,
30	P. Kesava Nadar	Nadar	22-1-1108	,,	,,
31	D. Kamalam	S. I. U. C.	24-1-1108	,,	,,
32	Augustine Joseph	Syrian Catholic	31-1-1108	,,	,,

APPENDIX I (B)—(*contd.*)

No.	Name.	Caste.	Date of deposit of security.	Qualification. General.	Qualification. Special
33	Daniel Thomas	S. I. U. C.	11-6-1108	Exempted.	Ancha Test.
34	S. Thirunarayanan	Nadar	17-6-1108	E.S. L.C.	,,
35	N. Lekshmana Kamathi	Other Hindu	4-3-1109	,,	,,
36	A. Vasu	Ezhava	26-6-1109	,,	,,
37	M. Gopalan	,,	15-7-1109	,,	,,
38	V. K. Karunakara Kaimal	Nair	26-7-1109	,,	,,
39	C. K. Sebastian	Syrian Catholic	21-10-1109	,,	,,
40	C. Shunmugha Nadar	Nadar	25-11-1109	,,	,,
41	Narayana Marar	,,	30-12-1109	,,	,,
42	M. C. John	Marthoma	1-4-1110	,,	,,
43	Chachiamma Thomas	Jacobite	4-4-1110	,,	,,
44	Jayamathi Bai Yesudasan	S. I. U. C.	4-4-1110	,,	,,
45	N. Kutten Pillai	Nair	4-4-1110	,,	,,
46	Nalini	Ezhava	5-4-1110	,,	,,
47	M. M. George	S. I. U. C.	10-6-1110	,,	,,
48	L. Sundaram Iyer	Brahmin	15-6-1110	,,	,,
49	T. J. Zacharia	Syrian Catholic	25-6-1110	Intermediate	,,
50	K. M. Aleyamma	Marthoma	14-8-1110	E.S.L.C.	,,
51	L. Narayani Amma	Nair	28-8-1110	E.S.L.C.	,,
52	K. George	Jacobite	28-8-1110	Intermediate.	,,
53	Luke Kaniyamparambil	Syrian Catholic	25-11-1110	E.S.L.C.	,,
54	C. N. Iype	Marthoma	23-11-1110	,,	,,
55	K. Narayanan	Ezhava	28-12-1110	,,	,,
56	M. R. Kochukrishnan	Other Hindu	5-1-1111	,,	,,
57	Ammukutty Amma	Nair	10-1-1111	,,	,,
58	K. N. Bhavani	Ezhava	13-1-1111	,,	,,
59	Ibrahimkutty	Muslim	19-1-1111	,,	,,
60	V. Damodaran Asari	Kammala	20-1-1111	,,	,,
61	K. Narayanan	Ezhava	21-1-1111	,,	,,
62	P. Sarada	,,	24-1-1111	,,	,,
63	M. N. Gopalan Nair	Nair	31-1-1111	,,	,,
64	V. Kumaran	Ezhava	7-2-1111	Intermediate.	,,
65	P. Viswadevan	,,	12-2-1111	E.S.L.C.	,,
66	P. K. Thankappan	,,	15-2-1111	,,	,,
67	P. K. Chandrasekhara Pillai	Nair	18-2-1111	,,	,,

APPENDIX I B.—*(concld.)*

No.	Name.	Caste.	Date of deposite of security.	Qualification. General.	Qualification. Special
68	S. Krishnan Asari	Kammala	22-2-1111	E.S. L.C.	Anchal Test.
69	M. A. Mary	Marthoma	11-3-1111	,,	,,
70	A. K Bharghavy	Ezhava	19-3-1111	,,	,,
71	N. Kuttappan	,,	5-4-1111	,,	,,
72	P. K. Natesan	,,	6-4-1111	,,	,,
73	K Parukutty Amma	Vellala (Other Hindu)	11-4-1111	,,	,,
74	K. Kesavan	Ezhava	19-4-1111	,,	,,
75	M. S. Padmanabhan	,,	19-4-1111	,,	,,
76	Varghese George	Jacobite	1-5-1111	Intermediate	,,
77	A. O. Philip	,,	4-5-1111	E.S.L.C.	,,
78	N. V. Raghavan Pillai	Nair	2-7-1111	,,	,,
79	K. K. Kesavan	Ezhava	24-7-1111	,,	,,
80	K. Kutten	,,	3-9-1111	,,	,,
81	K. Ramakrishnan Nadar	Nadar	13-9-1111	,,	,,
82	K. C. Ponnamma	Jacobite	18-9-1111	,,	,,
83	P. Kolappa Pillai	Other Hindu	24-11-1111	,,	,,
84	K. M. Mathai	Marthoma	3-2-1112	,,	,,
85	P. N. Padmavathi Amma	Nair	28-7-1115	B. A.	,,
86	V. S. Aiya Pillai	Other Hindu	28-7-1115	B. A.	,,
87	K. Narayana Menon	Nair	29-7-1115	B. A.	,,
88	D. George	Jacobite	29-7-1115	E.S.L.C.	,,
89	S. Viswanathan Nair	Nair	29-7-1115	,,	,,
90	K. Pathrose	Jacobite	30-7-1115	,,	,,
91	P. E. Mammen	Marthomite	30-7-1115	,,	,,
92	P. Harihara Aiyar	Brahmin	1-8-1115	B. A.	,,
93	P. Kuttappan Pillai	Nair	1-8-1115	E.S L.C.	,,
94	M. E. Mathew	Syrian Catholic	1-8-1115	,,	,,
95	M. Ambujakshy	Nair	3-8-1115	B. A.	,,
96	S. Dharmaraja Aiyar	Brahmin	3-8-1115	Intermediate	,,
97	N. S. Parameswara Aiyar	Do.	3-8-1115	E.S.L.C.	,,
98	C. Devasia	Syrian Catholic	4-8-1115	Intermediate	,,
99	K. Ramadasan Nair	Nair	4-8-1115	E.S.L.C.	,,
100	G. Thankamma	Nair	1-10-1115	,,	,,

Appendix II.

Vide Answer to Question No. 83.

Statement showing the number of fire arms deposited by the owners in each of the police stations in the State and the number in respect of which a period of one month has elapsed since the date of deposits.

Station.	*Number deposited.*	*No. of which one month has elapsed.*
TRIVANDRUM DISTRICT.		
Fort	16	15
Puthenchanthai	61	61
Cantonment	87	87
Vattiyurkavoo	32	30
Kattakada	182	182
Nedumangad	43	38
Attingal	64	58
Warkalay	47	47
Kazhakuttom	59	...
Nemom	79	79
Neyyattinkara	231	20
Vilavancode	52	52
Thuckalai	82	82
Eraniel	21	21
Kottar	128	40
Edalakudy	113	111
Bhoothapandy	60	59
Aramboly	15	...
Thiruvattar	21	21
QUILON DISTRICT.		
Quilon Town	16	15
Quilon Taluk	11	10
Karunagapally	28	27
Kayamkulom	9	9
Mavelikara	21	21
Haripad	15	15
Ambalapuzha	20	20
Alleppey	63	62
Thiruvella	77	77
Aranmula	17	17
Chengannoor	29	29
Adoor	16	13
Punaloor	60	59

APPENDIX II—(*concld.*)

Station.	*Number deposited.*	*No. of which one month has elapsed.*
QUILON DISTRICT—(*contd.*)		
Shencottah	28	26
Paravoor	2	2
Kottarakara	67	60
Sherthalla	35	35
Arookutty	14	14
Pulinkunnu	19	19
Pathanamthitta	116	116
KOTTAYAM DISTRICT.		
Vaikom	56	53
Ettumanur	63	13
Meenachil	5	5
Kanjirapally	5	5
Moovattupuzha	63	63
Changanacherry	29	29
Pampady	80	80
Karugachal	69	69
Thodupuzha	12	12
Koothattukulam	132	132
Devicolam	5	5
Edapally	28	27
Munambam	15	15
Parur	6	5
Perumbavoor	47	47
Erattupettah	68	68
Kottayam	61	40
Alwaye	84	81
Peermade	6	6
Mundakayam	22	13
Kothamangalam	141	133
Udumbanchola	10	10
Total	3093	2562

UNSTARRED QUESTIONS AND ANSWERS.

Latin Catholics as Conciliation Officers.

2. **Mr. James Fletcher** (*Kalkulam and Vilavankod cum Neyyattinkara*) : Will the Government be pleased to state how many Latin Catholics are there as Conciliation Officers?

Mr. M. K. Nilakanta Aiyar (*Chief Secretary to Government*) : There is no Latin Catholic among the Conciliation Officers.

Latin Catholics in the General Secretariat.

3. **Mr. James Fletcher** : Will the Government be pleased to state the number of Latin Catholics in the General Secretariat?

Mr. M. K Nilakanta Aiyar : Six.

Transport Buses on the Trivandrum-Nagercoil road.

4. **Mr. James Fletcher** : Will the Government be pleased to state :

(*a*) the number of transport buses now used on the Trivandrum-Nagercoil road ;

(*b*) the number of buses allowed to ply for hire on the road and

(*c*) the number of buses kept on the reserve?

Mr. K. Sankaran (*Ag. Secretary to Government*) : (*a*) 26.

(*b*) Nil.

(*c*) 12½ per cent. of the number allocated for service.

Statement, by caste, of the officers in the Transport Department.

5. **Mr. E. K. Kuripe** (*Kunnatnad and Muvattupuzha cum Devicolam*): Will the Government be pleased to lay on the table a statement, by caste, of the officers in the Transport Department with information as to the number among them that belong to the taluks of Muvattupuzha, Kunnatnad and Parur, their names and the pay they are receiving?

Mr. K. Sankaran : The memher is referred to the answers at pages 100 to 105 of Vol. XII No. 3 of the Proceedings of the Sri Mulam Assembly.

Latin Catholics in the Financial Secretariat.

6. **Mr. James Fletcher** : Will the Government be pleased to state the number of Latin Catholics employed in the Financial Secretariat?

Mr. S. Sundararajan : (*Financial Secretary to Government*) : One.

SHORT NOTICE QUESTION *RE.* EXTENSION OF THE TERM OF THE COUNCIL.

President : I have received a short notice question as follows :

"Will the Government be pleased to state whether the term of the Sri Chitra State Council is extended and if so what is the period,?.

Apparently, this question has been rendered necessary in view of the statements made elsewhere. But there is no difference in the case of the State-Council and the Assembly on this matter. The period and the time has not been fixed ; but that will be notified very shortly.

ADJOURNMENT MOTION *RE* WAR.

President: I have also received notice of an adjournment motion of some importance relating to war. I am sure this House will give the honourable member leave to move the motion. The motion runs thus :—

> "This Council do place on record the determination of India and this State in particular to render help in the conflict that is now being waged against a regime of stark force and offer their hearty co-operation to His Gracious Highness the Maharaja's Government in all their efforts towards the successful prosecution of the War and the maintenance of internal peace and order".

As no member has objected to leave being given, the honourable member can move the adjournment motion.

Mr. Kottur Kunjukrishna Pillai: Sir, I need hardly add anything more than reading the motion that is before the House. The motion is this :—

> "This Council do place on record the determination of India and this State in particular to render help in the conflict that is now being waged against a regime of stark force and offer their hearty co-operation to His Gracious Highness the Maharaja's Government in all their efforts towards the successful prosecution of the War and the maintenance of internal peace and order."

It is not necessary for me to say anything by way of commending this motion for the acceptance of this House. I need only formally move it for the acceptance of the House. When His Gracious Highness the Maharaja, true to the traditions of our Royal Family offered all the resources of the State as a means of helping Great Britain in her fight against the Nazi menace, it can be taken for granted that every loyal citizen of the State has agreed to that and will contribute all that is possible whether as a mark of loyalty or as a mark of offering on behalf of the State. There is no meaning in saying that the War does not affect us. It has become clearer to every one without explanation that the war and the repercussions of the war affect every one of us. Therefore we cannot shirk our responsibility nor do we mean to do so. And so it is my humble prayer to you, Sir, to convey to His Gracious Highness that the people of this State without any distinction of caste,

community, colour or political opinion do express in no unmistakable terms their hearty co-operation with all the endeavours of His Highness' Government for the successful prosecution of the war and for the maintenance of internal peace and order in the State. With these few words I commend the motion for the acceptance of the House.

Mr. N. Krishna Aiyar (*Vaikom, Kottayam and Changanacherry* cum *Peermade*): I support the motion.

Mr. M. Govindan (*Nominated*): I do heartily support the motion.

Mr. Kochikal P. Balakrishnan Tampi (*Karunagapalli, Kartikapalli and Ambalapuzha* cum *Shertallai*): I also support the motion.

President: It is hardly necessary for me to say that such a motion is quite appropriate and I have no doubt that the House will pass it unanimously. I may assure the House that it will be the aim of His Highness' Government to implement His Highness' desire in this matter. It is only fitting that the Council has expressed its unequivocal determination to help the Government in this endeavour. With these words I put the motion to the vote.

The motion was put to vote and carried unanimously by the House.

RESOLUTIONS.

Resolution re: holidays—(contd.)

Mr. G. Narayana Aiyar (*Parur, Kunnatnad and Muvattupuzha* cum *Devicolam*): Sir, when the House adjourned in last January, discussion on the following resolution moved by me had not concluded:—

> "This Council recommends to Government that the public holidays recently abolished be restored in view of the importance of the holidays."

Mr. M. K. Nilakanta Aiyar: Sir, I accept the resolution. Government have already stated that the matter will be re-considered. I may assure the honourable members that orders will be issued very shortly.

President: Does the House now propose to go on with this resolution?

Mr. K. K. Kuruvilla: Sir, I wish to make a few observations in connection with this motion.

President: Yes.

Mr. T. Krishna Pillai: Sir, on a point of order. Can an honourable member speak in support of the motion at this stage?

President: The question arises this way. I find from notices given to me that seven honourable members have already spoken on this including the honourable member who is on his legs. In the meantime the Chief Secretary has stated that the whole question is being re-examined and very shortly Government propose to issue orders on the subject of holidays. In that connection I have asked the honourable members whether they propose to go on with the resolution. At that juncture Mr. Kuruvilla wanted to make some observations and I permitted him to do that.

Mr. K. K. Kuruvilla: Sir, I wanted to bring to the notice of this House and the Government that the Christians followed two calendars in regard to the observance of their religious days. There are those who follow the Western Church and others who follow the Eastern Church. Sir, going though this list, I find that the Western Calandar alone is taken into consideration. I only want to make a suggestion.

President: Honourable member knows quite well that according to the Greek Calendar almost every day is different, Christmas day is different, and the Easter days are different. I have some vague idea that on particular years the Christmas day has varied as much as 11 days.

Mr. K. K. Kuruvilla: Yes. So, if you give the option for Government servants to choose between the one day or the other, it may be of advantage to the department as well, because all the Christians will not avail themselves of the leave at the same time if you give them the option to choose their holidays according to the Western or Eastern Calendars. I just want to point out this.

Mr. G. Narayana Aiyar: Sir, in view of the assurance given by the Chief Secretary to Government. I beg to withdraw the resolution.

The motion was by leave withdrawn.

The following resolutions were not moved:

Raising the pay of the Pakuthi Accountants.

2. Mr. K. M. Kesavan: This Council recommends to Government that the pay of the Pakuthi Accountants be raised to Rs. 18 per mensem.

Raising the pay of the Proverthikars.

3. Mr. K. M. Kesavan: This Council recommends to Government that the salary of the Proverthikars be raised to Rs. 25, Rs. 30 and Rs. 35 according to their grade.

Nationalisation of Salt Industry.

4. Mr. K. M. Kesavan: This Council recommends to Government that the salt industry of the country be nationalised.

Opening and improvements of ryots' roads.

5. MR. K. M. KESAVAN: This Council recommends to Government that a sum of ten lakhs of rupees be allotted each year, for the next five years for the improvement of the already existing and the opening of new ryots' roads in the country.

Appointment of a full-time Co-operative Registrar.

6. MR K. M. KESAVAN: This Council recommends to Government that a full-time Co-operative Registrar be appointed immediately.

Reduction of School Fees.

7. MR. K. M. KESAVAN: The Council recommends to Government that owing to economic depression the fees in schools be reduced by 50 per cent. at least for the children of agriculturists.

RESOLUTION RE: DEMONSTRANION FARMS IN EACH TALUK.

Mr. K. M. Kesavan: Sir, I move only the eighth resolution in the list.

"This Council recommends to Government that farms be opened in each taluk to demonstrate the cultivation of all crops suited to the soil of that taluk".

I have already spoken something in my last budget speech about opening of demonstration farms. These farms were on the increase once. I think it was during the time of the late Dr. Kunjan Pillai, who was the Director of Agriculture and Fisheries that the establishment of demonstration farms was carried on on, a large scale and, if my information is correct, an amount of about Rs. 20,000 was allotted at that time every year. Now, I do not understand why Government is following a policy which is not at all encouraging to the ryots or advantageous to the carrying on of these demonstration farms. I understand that certain demonstrations are being carried on in the case of cocoanut and paddy. In one or two places, demonstration in the case of sugarcane plant and peppervine is also being carried on. But I am not aware of any such experiment being conducted in the case of any other crop. My intention in moving this resolution is to bring home to the Government that demonstration must be carried on, on a larger scale not only on these four crops mentioned, but on all other crops that are cultivated in this country. Demonstration to the extent it goes is serving a useful purpose. But, at the same time, I do not say that it is serving all the purposes it should. This, I am informed, is due to want of funds. So, enquiries must be made as to the demonstrations that are to be carried on in places where they are likely to be carried on with success. There are so many other crops which I have not mentioned, in the case of which demonstrations have to be done. Ours is essentially an agricultural country

[Mr. K. M. Kesavan.]

and the aid of the department should always come to the rescue and help of the agriculturists. The ordinary agriculturist, being a layman, is not aware of the particular manures that are to be applied to each plant. He is also ignorant of the amount and the time when the manures are to be applied. He does not know the places where these manures can be got down from. In all these things he requires instruction. So, the department will carry on an active propaganda as to all these things besides opening farms if possible in every pakuthi. Even now, certain demonstration farms are being carried on in certain taluks. I am not aware whether all taluks are getting their due share. Even in those places where demonstrations are being carried on they do not bring the utmost benefit to the agriculturists because the department is not able to pursue the demonstration work effectively owing to lack of funds. I do not think that any further elucidation on these points is necessary. I therefore request the House to consider the extent to which the demonstrations should be carried on and also to consider the possibilities of increasing the amount that is being sanctioned for carrying on these demonstrations.

Mr. Thomas Chandy Mukkadan (*Nominated*) : ഇപ്പോൾ നടപ്പിലിരിക്കുന്ന ഡെമാൺസ്ട്രേഷൻ ഫാറങ്ങൾ പോലെയുള്ള ഫാറങ്ങൾ രാജ്യത്തിന്റെ നാനാഭാഗങ്ങളിലും വേണമെന്നാണോ മെമ്പർ ആവശ്യപ്പെടുന്നതു് ?

Mr. K. M. Kesavan : ബഹുമാനപ്പെട്ട മെമ്പർ എന്റെ പ്രസംഗം ശ്രദ്ധിച്ചിരുന്നു എങ്കിൽ ഇങ്ങനെ ഒരു ചോദ്യം ചോദിക്കേണ്ട ആവശ്യം വരികയില്ലായിരുന്നു. ഫാറങ്ങൾ ഇന്നുള്ള സ്ഥലത്തും ഇല്ലാത്ത സ്ഥലത്തും സ്ഥാപിക്കണമെന്നാണ് ഞാൻ അഭിപ്രായപ്പെട്ടിട്ടുള്ളതു്. പ്രയോജനകരങ്ങളായ കൃഷികൾ എന്തെല്ലാമുണ്ടോ അവയെല്ലാം പരീക്ഷണാർത്ഥം കാണിച്ചു കൊടുക്കുന്നതിന് ഡെമാൺസ്ട്രേഷൻ ഫാറങ്ങൾ താലൂക്കുതോറും എന്നല്ല പകുതിതോറും വേണ്ടതു് അത്യാവശ്യമാണ്. അതിലേക്കാവശ്യമുള്ള തുക അനുവദിക്കുന്നതിനു ഗവൺമെന്റു ശ്രദ്ധിക്കണമെന്നുള്ളതാണ് എന്റെ ഉദ്ദേശം.

Mr. Thomas Chandy Mukkadan : ഇന്നു നിലവിലിരിക്കുന്ന ഫാറങ്ങൾ മാതൃകാപരവും ഇവിടത്തെ കൃഷിയുടെ അഭിവൃദ്ധിക്ക് പര്യാപ്തവുമാണെന്ന് മെമ്പർ വിചാരിക്കുന്നുണ്ടോ ?

Mr. K. M. Kesavan : ഇപ്പോഴുള്ള ഫാറങ്ങൾ കൃഷിയുടെ അഭിവൃദ്ധിക്കു പര്യാപ്തമാണെന്നാണ് എന്റെ അറിവു്.

Mr. G. Narayana Aiyar: May I know what will be the total expense involved for the purpose of having these demonstration farms started in the case of all crops?

Mr. K. M. Kesavan: ഈ ചോദ്യത്തിന് പെട്ടെന്ന് ഒരു മറുപടി പറയാൻ സാധിക്കുകയില്ല. ഏതെല്ലാം സ്ഥലത്ത് ഏതേതു രീതിയിൽ ഉള്ള ഫാറങ്ങളാണ് ആവശ്യമായിട്ടുള്ളതെന്ന് നിശ്ചയിക്കുന്നതിനു മുൻപ് അതിലേക്കു എന്തു പണം ചെലവാകുമെന്നു പറയാൻ നിവൃത്തിയില്ല.

Mr. Kallur Narayara Pillai: (*Mavelikara and Tiruvalla cum Pattanamthitta*): കോന്നിയിൽ നടത്തുന്ന ഫാറം പോലെയുള്ള ഒരു ഡെമാൺസ്ട്രേഷൻ ഫാറം ആലപ്പുഴ നടത്തുന്നതുകൊണ്ട് പ്രയോജനമുണ്ടോ ?

Mr. K. M. Kesavan: ഉണ്ട്. കോന്നിയിലെ ഫാറം ഞാൻ കണ്ടിട്ടുണ്ട്. അതു വിജയകരമാണ്.

Mr. Kallur Narayara Pillai: ഇപ്പോഴം അതിന്റെ സ്ഥിതിയെപ്പററി അറിയാമൊ ?

Mr. K. M. Kesavan: അറിഞ്ഞുകൂടാ.

Mr. K. R. Narayana Aiyar (*Director of Agriculture and Fisheries*): Sir, the honourable member, the mover of the resolution wants that agricultural farms should be established in each and every taluk or pakuthi in the State. I do not think it is very necessary to do so.

Mr. T. K. Kittan: സർ, ഈ പ്രമേയത്തെ ആരും അനുകൂലിച്ചില്ല.

President: None seconded it?

Mr. K. K. Kuruvilla: Sir, I second the resolution.

Mr. K. R. Narayana Aiyar: Sir, my opinion is that there is hardly any necessity for doing this because more often than not the soil of one taluk will be very much alike that of the taluk abutting on it. Experimental farms are really intended to try new crops and new methods in particular tracts which exhibit wide divergences in their soils, climate, and rainfall. Each of these tracts may cover several taluks. There should be experimental farms separately for tracts like Nanjanad and Kuttanad, the littoral tract and the submondane tract which have entirely different soil and climatic conditions; but hardly is it necessary, Sir, to have one farm for Karunagapally and another for Karthikapally-taluks which are almost similar in regard to their physical configuration. We have experimental farms already for most of the important tracts in Travancore. We have

[Mr. K. R. Narayana Aiyar.]

a paddy farm in Nanjanad, a coccoanut farm at Onattukarai, a sugarcane farm at Alwaye and so on. But what is really wanted for each taluk is a demonstration plot in contradistinction to a demonstration farm. The demonstration plot has the advantage of bringing the demonstration right into the heart of a village. It is the best and quickest method of influencing the practice of the cultivator. The improvement is demonstrated in the cultivator's plot itself under the direction of the departmental officers, with the result that the cultivator is convinced of the advantages of the agricultural improvement.

The demonstration farm on the other hand, is only an extended form of activity of the experimental farm. It is open to the objection that it creates a suspicion in the minds of cultivator that the methods by which it is cultivated are not applicable to his means and conditions. The farm buildings, the superior cattle, the up-to-date implements and the careful lay out are apt to create an impression that the methods adopted are entirely beyond his means. If, however, a demonstration is carried out on the cultivator's own land it is open to none of these objections. It is with this objective in view, Sir, that demonstration plots have been organized by the Department. Plots have been laid out in almost all the taluks for important crops like paddy, cocoanut, topioca, banana, sugarcane, pepper, ginger, etc. In addition to seed selection and cultural and manurial demonstrations on these crops, new crops like ragi, soya-beans, tomatos, etc., are introduced in the centre. Ancillary occupations such as poultry rearing, bee-keeping etc., are also introduced. 25 such centres have already been organised in 25 taluks of the State and the work is progressing satisfactorily. The rural uplift centres in each taluk where agricultural improvement is effected on a wide front will serve as suitable demonstration units for the villagers to copy not only improved methods in agriculture but also suitable spare time occupations which would go a long way to improve their present economic condition. In view of what is already being done for the benefit of each taluk, more than even what has been contemplated in the resoultion, I hope the honourable member the mover of the resolution will not press it.

Mr. T. K. Kittan : ഞാൻ ഈ പ്രമേയത്തെ എതിൎക്കുന്നു. പുതിയ സ്ഥാപനങ്ങളൊന്നും രാജ്യത്തിന്റെ ഇപ്പോഴത്തെ നിലയ്ക്കു ഇവിടെ ആവശ്യമില്ല. ആവശ്യക്കാർ ഗവൺമെന്റിൽനിന്നും നടത്തിവരുന്ന കൃഷിത്തോട്ടങ്ങളിൽ ചെന്നു് കൃഷിയുടെ നടത്തിപ്പുകളെപ്പററി മനസ്സിലാക്കിയാൽ മതിയാകും. പ്രധാനമായി ഇവിടെ പണമില്ല. മുപ്പതു താലൂക്കുകളിലും നിവൃത്തിയുണ്ടെങ്കിൽ നാന്തററിൽ ചിലപ്പാനം പകുതികളു

ളും മാതൃകാ കൃഷിത്തോട്ടങ്ങൾ സ്ഥാപിക്കണമെന്നാണ് ബഹുമാനപ്പെട്ട മെമ്പർ പറയുന്നതു്. അതിലേക്കു ധാരാളം പണം വേണം. തല്ക്കാലം അതു സാദ്ധ്യമല്ല. ഇവിടത്തെ പ്രധാന കൃഷികളുടെ സാദ്ധ്യതകളെല്ലാം അങ്ങേയററത്തെ നിലയിൽ എത്തിയിരിക്കുകയാണെന്നു അധികാരികളും വിദഗ്ദ്ധന്മാരും പറയുന്നു. അതുകൊണ്ടു് പുതിയ തരത്തിലുള്ള വല്ല കൃഷികളും നടത്താൻ സാധിക്കുമൊ എന്നാണു് നോക്കേണ്ടതു്. ഇവിടത്തെ തേങ്ങ്, നെല്ല്, മരച്ചീനി, കുരുമുളക മുതലായ സാധനങ്ങളുടെ വിളവിന്റെ പരിമാണം എത്രയാണെന്നു കണ്ടുകഴിഞ്ഞു. ഉരുളക്കിഴങ്ങ്, തക്കാളി, സോയാപ്പയർ മുതലായ പുതിയ സാധനങ്ങൾ ശരിയായി വളമിട്ടു കൃഷിചെയ്യുണ്ടാക്കാൻ സാധിക്കുമൊ എന്നു പരിക്ഷിച്ചു നോക്കണം. അല്ലാതെ പണമില്ലാത്ത ഈ സമയത്തു് പുതിയ പദ്ധതികൾ ഒന്നും ആവശ്യമില്ല തന്നെ.

Mr. K. M. Kesavan : ഈ രാജ്യത്തുള്ള തെങ്ങുവൃക്ഷങ്ങളെല്ലാം നശിച്ചു പോകണമെന്നാണോ പറയുന്നതു്.

Mr. T. K. Kittan . ൨൫ വർഷക്കാലമായി വേണ്ടതരത്തിലുള്ള പരീക്ഷണങ്ങൾ എല്ലാം നടത്തിയിട്ടും തെങ്ങുരോഗത്തിനു് ഒരു പരിഹാരം കണ്ടുപിടിക്കുവാൻ ഇതുവരെ സാധിച്ചിട്ടില്ല.

Mr. K. M. Kesavan : പരീക്ഷണങ്ങൾകൊണ്ടു് പ്രതിവിധികൾ കണ്ടുപിടിക്കുന്നതിനു് ൨൫ വർഷമല്ലാ ചിലപ്പോൾ ൨൦൦ വർഷംകൂടെ വേണ്ടിവരുമെന്നുള്ള സംഗതി മെമ്പർക്കറിയാമൊ ?

Mr. T. K. Kittan : പരീക്ഷണം നടത്തുന്നതു് ലോകാവസാനം വരേയും ആകാം. വിരോധമില്ല.

Mr. Thomas Chandy Mukkadan : ഈ പ്രമേയത്തിന്റെ തത്വം വളരെ ആദരണീയമായി തോന്നുന്നുവെങ്കിലും അതിനെ പ്രയോജനത്തിൽ വരുത്തുന്നതു് രാജ്യത്തിന്റെ ഇന്നത്തെ നിലയ്ക്കു ദോഷകരമായിട്ടാണു് കാണുന്നതു്. തിരുവിതാംകൂറിൽ കൃഷി ഡിപ്പാർട്ടുമെൻറു ഏർപ്പെടുത്തിയിട്ടുള്ളതു് ഈ രാജ്യത്തെ കൃഷിയുടെ പരിപോഷണത്തിനു പര്യാപ്തമായ മാർഗ്ഗങ്ങൾ ഉണ്ടാക്കി അതനുസരിച്ചു പ്രവർത്തിക്കണമെന്നുള്ള ഉദ്ദേശത്തോടു കൂടിയാണ്. കഴിഞ്ഞ കാലത്തു് ഡിപ്പാർട്ടുമെൻറു മേലദ്ധ്യക്ഷനായിരുന്ന ഡാക്ടർ കുഞ്ഞൻപിള്ള അതിലേക്കുവേണ്ടി നിരന്തരം പരിശ്രമിക്കുകയും മാതൃകാകൃഷിത്തോട്ടങ്ങൾ സ്ഥാപിക്കുകയും ചെയ്തുവെങ്കിലും പ്രായോഗികതയിൽ അവയുടെ പ്രവർത്തനം വിഫലമായി ഭവിച്ചു

[Mr. Thomas Chandy Mukkadan.]

എന്നു മാത്രമല്ലാ ചില സ്ഥാനങ്ങളിൽ ദോഷകരമായിത്തീർന്നു എന്നുകൂടി പറയാതിരിക്കുവാൻ നിവൃത്തിയില്ല. ഈ ദോഷങ്ങളെ പരിഹരിച്ചു മാതൃകാതോട്ടങ്ങൾ ആദായകരവും അനുകരണയോഗ്യങ്ങളും ആക്കിത്തീക്കുന്നതിന് ഇപ്പോഴത്തെ കൃഷിഡയറക്ടർ നല്ലവണ്ണം ശ്രമിക്കുന്നുണ്ട്. അങ്ങിനെ ചെയ്യുന്ന പരിശ്രമത്തിന്റെ ഫലമായി ഡെമാൺസ്ട്രേഷൻ ഫാറങ്ങൾ ഗുണകരമായിത്തീരുന്നുണ്ടോ എന്നറിയുന്നതിനുമുൻപ് പുതിയ തോട്ടങ്ങൾ ഉണ്ടാക്കുന്നതു് ഒരിക്കലും നീതീകരിക്കത്തക്കതും ആഗ്രഹിക്കത്തക്കതുമല്ല. കുട്ടനാടൻ പ്രദേശങ്ങളിലും ആലപ്പുഴക്കടുത്തുള്ള കൈനകരി മുതലായ സ്ഥലങ്ങളിലും തെങ്ങുരോഗം വളരെ ഭയങ്കരമായിട്ടാണ് പിടിപെട്ടിരിക്കുന്നതു്. ഇതിനു മുൻപിരുന്ന ഡയറക്ടരും മററും എന്റെ സ്ഥലത്തു വന്ന് ഈ രോഗത്തിന് വേണ്ട നിർദ്ദേശങ്ങൾ തരികയും അവരുടെ ഉപദേശപ്രകാരമുള്ള ഔഷധങ്ങൾ പ്രയോഗിക്കുകയും ചെയ്തിട്ടും ആ തെങ്ങുവൃക്ഷങ്ങളെല്ലാം പട്ടുപോകുകയാണു ചെയ്തിട്ടുള്ളതു്. അതു കൊണ്ട് ഇപ്പോഴുള്ള തോട്ടങ്ങളുടെ പ്രവൎത്തനഫലം എന്താണെന്നു ശരിയായി അറിയുന്നതിനു മുൻപ് പുതിയ തോട്ടങ്ങൾ തുടങ്ങി ജനങ്ങളെ വിഷമിപ്പിക്കാൻ പാടില്ലാത്തതാണ്. ഗവണ്മെൻറു ഗസററിൽ അടുത്ത കാലത്തു് മങ്കൊമ്പിലുള്ള ഒരു മാതൃകാ കൃഷിസ്ഥലത്തിന്റെ ഗുണത്തെപ്പററി പറഞ്ഞിട്ടുണ്ടായിരുന്നു. അതു് ജനങ്ങൾക്ക് വലിയ പ്രോത്സാഹജനകവും മാതൃകാപരവും ആണെന്നാണു പറയുന്നതു. ഈ ഉദാഹരണം മുൻനിർത്തി ചിന്തിക്കുമ്പോൾ കൃഷി വിഷയകമായി ശരിയായ ഉപദേശവും വേണ്ട വിധത്തിലുള്ള മാർഗ്ഗനിർദേശവും ഉണ്ടായിരുന്നാൽ പല സ്ഥാനങ്ങളിലും അഭിവൃദ്ധികരമായ നിലയിൽ കൃഷിപരിഷ്കരണം സാധിക്കുമെന്നു കാണാവുന്നതാണ്. ഇത്രയും പ്രസ്താവിച്ചതിൽനിന്നു അതിന്റെ ആദർശത്തെ സമ്മതിക്കാമെന്നുള്ളതല്ലാതെ ആ പ്രസ്താവനയിലുള്ള വിവരങ്ങളെല്ലാം ശരിയാണെന്നു ഞാൻ സമ്മതിക്കുന്നതായി അർത്ഥമാക്കരുതു്. ഞാൻ ഉദ്ദേശിക്കുന്ന പായിന്റ് ഇതാണ്. കൃഷിയുടെ പോഷണത്തിനുവേണ്ടി ഗവണ്മെന്റിൽനിന്നും മാർഗ്ഗനിർദേശങ്ങൾ ചെയ്താൽ അതിനെ പ്രായോഗികതയിൽ വരുത്തുന്നതിനു കഴിവും പ്രാപ്തിയുമുള്ള കർഷകർ ഇവിടെയുണ്ടു. അവർക്കു വേണ്ട നിർദേശങ്ങളും പ്രോത്സാഹനങ്ങളും ചെയ്തുകൊടുത്താൽ മാത്രം മതിയാകും. അതിനുദാഹരണമായിട്ടാണ് മങ്കൊമ്പിലെ കാര്യം ഞാൻ ഇവിടെ ചൂണ്ടിക്കാണിച്ചിട്ടുള്ളതു്. അതിനാൽ ഈ കാര്യത്തിൽ ഗവണ്മെൻറു വേണ്ടവിധം ശ്രദ്ധി

ച്ച് പുതിയ രീതിയിൽ കൃഷിചെയ്യുവാൻ പ്രാപ്തിയുള്ള യോഗ്യന്മാരെ ഗ്രാൻറോ മററോ അനുവദിച്ചു കൊടുത്ത് പ്രോത്സാഹിപ്പിക്കുകയല്ലാതെ പ്രത്യേകമായി തോട്ടങ്ങൾ ഉണ്ടാക്കുന്ന സംഗതിയെ ഞാൻ എതിർക്കുന്നു.

Mr. K. M. Kesavan : ബഹുമാനപ്പെട്ട മെമ്പർ എൻെറ പ്രസംഗത്തെ തെററിദ്ധരിച്ചു കൊണ്ടാണ് ഇപ്രകാരം കാടുകയറി പറഞ്ഞിട്ടുള്ളത്. ഞാൻ പറഞ്ഞത് തെങ്ങ്, നെല്ല് മുതലായവയുടെ രോഗപരിഹാരം വരുത്തേണ്ട എന്നല്ല; ഈ നാട്ടിലുണ്ടാകുന്ന സസ്യങ്ങളെല്ലാം ആദായകരവും ശാസ്ത്രീയവുമായ രീതിയിൽ കൃഷിചെയ്തു ആദായം വർദ്ധിപ്പിക്കുന്നതിനുള്ള മാർഗ്ഗം എങ്ങിനെ എന്നു ജനങ്ങൾ കണ്ടു മനസ്സിലാക്കുന്നതിനു ഓരോ പകുതിയിലും ഡെമാൺസ്ട്രേഷൻ ഫാറങ്ങൾ സ്ഥാപിക്കണമെന്നാണ്. രോഗനിവാരണം എന്നുള്ളത് പ്രത്യേകം ഒരു പ്രശ്നമാണ്.

Mr. Thomas Chandy Mukkadan . ബഹുമാനപ്പെട്ട മെമ്പർക്ക് എൻെറ പ്രസംഗത്തിൽ അന്തർഭവിച്ചിരിക്കുന്ന തത്വം എന്താണെന്നു മനസ്സിലാക്കാൻ ശക്തിയില്ലാതെ പോയതിൽ ഞാൻ മനസ്താപിക്കുന്നു. കാര്യം എന്താണെന്നു മനസ്സിലാക്കാതെ അതിനെപ്പററി വിമർശിച്ചിട്ടാവശ്യമില്ല.

Mr. K. M. Kesavan : In view of the assurance given by the Director of Agriculture that more attention will be paid to the opening of demonstration farms, I do not press the resolution.

The resolution was, by leave, withdrawn.

RSOLUTION RE: REDUCTION OF FEES IN ENGLISH SCHOOLS.

Mr. K. M. Kesavan : I beg to move the following resolution :—

"This Council recommends to Government that the fees in English Schools be reduced by 50 per cent".

Sir, I need not lay stress upon the economic depression and the hardships brought about by it upon the people of all countries and particularly those in Travancore.

President : We are now at the question of school fees.

Mr. K. M. Kesavan : Cocoanut industry is the mainstay of the agriculturists who form the bulk of the population of Travancore. In fact it is the chief money crop of the country. Except a few planters who carry on cultivation of tea, coffee and other crops, the majority of the people of Travancore depend entirely on cocoanuts products for their livelihood. Of course, paddy is being

cultivated in Travancore. But the amount of paddy that is produced in Travancore is not at all sufficient for consumption in Travancore and hence we depend upon paddy imported from other countries, particularly from Burma.

Mr. T. Krishna Pillai : May I know whether by this resolution the member contemplates the concession to the children of Government officers ?

Mr. K. M. Kesavan ; No, for the simple reason that they have not suffered a loss. On the other hand, the value of money has increased considerably.

Mr. Kochikal P. Balakrishnan Tampi (*Karunagapally, Kartikapally and Ambalapuzha* cum *Shertalai*) : Is it the opinion of the member that all officers are landless people ?

Mr. K. M. Kesavan : I do not presume so. On the other hand, because of the rise in the value of money, I may even go to the extent of saying that the officers, particularly the highly paid officers, might pay an educational cess on account of the "unearned increment "in the value of money due to war conditions. But I do not suggest it. I said it only in answer to an honourable member's question. The price of cocoanut was between Rs. 40 and 50 per thousand, half a dozen years ago. Now the fall is most depressing and most discouraging. One thousand cocoanuts fetch not even Rs. 15 and the poor agriculturist has to get on with this limited income. He has to maintain his family. He has to clothe himself and educate his children. So, in view of the economic depression and particularly due to the fall in the price of cocoanut, some reduction should be made in the school fee, which the agriculturist has become unable to pay.

The honourable member for education may marshal an array of facts from other countries with regard to the rates prevailing there and suggest by it that comparatively we are having a lower rate. Those who rely upon those comparative rates may have recourse to that argument. But I have not much belief in those comparative rates. Perhaps, we might be better off. A half-fed man may be much better than a least-fed man. But does it mean that a man must be contended with his stomach half full ? His ambition is to fill his stomach full. Similarly, though we might be comparatively not so hard pressed and enjoying a lower rate of fees, it should be said even these low rates, the agriculturist is unable to pay. So, in view of the suffering of the agriculturist in which class I also have the privilege or misfortune to belong, I cannot but press this argument and request the Government not to console the House, the agriculturists, or the people of the country by.........

President : They are not likely to do so.

Mr. K. M. Kesavan : Then, I would request the Government to have recourse to absolute methods and not the comparative methods and bring in complete relief.

Mr. G. Narayana Aiyar : May I know the amount that is being collected by way of fees?

Mr. K. M. Kesavan : More than Rs. 8 lakhs.

(*The resolution was not seconded.*)

President : The resolution is not seconded.

The resolution fell through for want of a seconder,

The following resolutions were not moved :—

Village Unions.

10. **K. M. Kesavan** : This Council recommends to Government that one Village Union at least be started in each taluk.

Increase of grant in-aid to Teachers.

11. **K. M. Kesavan** : This Council recommends to Government that the grant-in-aid awarded to teachers of private schools be raised to Rs. 15 a month.

President : Order, Order. In view to certain considerations which will be familiar to all honourable members, I prorogue this Session of the Council.

The House rose at 11. 45 A. M.

A GUNAMONY,
Secretary to the Sri Chitra State Council.

PROCEEDINGS

OF THE

CONFERENCE OF MEMBERS OF THE SRI MULAM ASSEMBLY AND THE SRI CHITRA STATE COUNCIL HELD IN THE LEGISLATIVE CHAMBER, PUBLIC OFFICES, TO DISCUSS THE REPORT OF THE DEBT RELIEF ENQUIRY COMMITTEE.

Monday, the 21st Kumbhom 1115/4th March 1940.

The Conference met at 2 p. M., the Dewan presiding.

PRESIDENT: Order, order. Merely for the sake of convenience and focussing discussion on definite points, I have put down certain headings on the basis of which discussion may presumably go on. The first question, of course, is a matter on which Government have to say something, that is, to what extent, if any, can Government step in in regard to this matter. That is, supposing the question of scaling down arises, that scaling down will be effective only if money is forthcoming and if Government money is to be forthcoming, to what extent and in what manner can that be achieved? There are many ways in which it can be done. Government may issue debenture bonds. Government may make arrangements for the debtors being paid in instalments and on that basis Government might enter into commitments or authorise to give debentures. Government may finance the Credit Bank to the extent necessary. But, in regard to that, it might definitely be stated that the utmost to which Government can go will not be, of course, anything to the extent of indebtedness, because on the smallest computation, the extent of indebtedness is ten crores and Government cannot possibly even dream of setting apart in the budget anything more than a crore.

The other heading is the question of the applicability of the proposed legislation to indebtedness up to a certain extent or to a person of certain pecuniary status.

Another point or heading is the question of banks and co-operative societies. Yet another is that of trade debts. And lastly there is the problem of the small creditors. These, I think, are the main points and I shall try to invite discussion on these points.

MR. K. K. KURUVILLA (*Member, Sri Chitra State Council*): Sir, I want to deal first with the question of making a difference between the rich and the poor. There can be no possible doubt that the poor should be helped, but I want to draw your attention to another aspect of the question. To my mind the question is not a division between the rich and the poor, because, the real point is whether the interest is legitimate or not. If the interest is high, if the interest is unconscionable, if the interest is illegitimate, then it should be reduced to a normal, satisfactory level. Suppose a rich creditor has insisted

on 25 per cent. interest and on that condition a needy debtor, however rich he may be, had borrowed money. It is not fair then that the creditor should have the advantage. I therefore draw your attention to this aspect, namely, the point of interest has to be considered. In the report, I am sorry, I have not marked the portion, it is stated very correctly, that the interest should be based on the income a man may derive from his investments. On another page of the report it has been said that the income which an invester can expect is not much more than 3½%. I find the report goes further and fixes the rate at 4½ and I do not know how they have arrived at that rate instead of sticking to their general statement that the income from investments will be only about 3 to 3½%. I submit, therefore, that the interest must be reduced to a legitimate limit. But I feel the interest at 9% or even at 6 is too much at the present time. Therefore, irrespective of the fact whether a person is rich or poor, we must arrive at a definite standard of interest which should not be more than 4½%. To my mind, it appears that interest should be reduced to 3½ or 4. If such a scaling down could be made effective and could be accepted conditional to the instalment system, I think it will go a great deal in relieving the debtors. Therefore, I suggest that the interest should be reduced to the normal level, namely 3½ or 4%.

The second aspect on which I wish to speak is about the co-operative organisation. An exception has been made in the report that co-operative organisations must be kept out of this legislation and, if I have heard you aright, Sir, you have also suggested that difficulties would creep in if an attempt is made in keeping the co-operative organisations within the ambit of this legislation. I submit, Sir, that the co-operative societies should also be brought into the scheme. The only argument against the inclusion of the co-operative societies within the orbit of this legislation is that the co-operative societies may suffer considerably as a result of this inclusion and that they may go out of existence. Having had considerable experienee of these societies and having worked for these co-operative organisations, at least in a small locality for a number of years, I feel that they have been of very little use or help to the poor farmers and traders in this country. The co-operative organisations may be very necessary and helpful in the long run, but if the societies that we have now are to be helpful, they ought to be completely reorganised on an entirely new basis. This will be possible only if the societies which are now in existence are wiped out. If therefore, the interest is reduced and the co-operative organisations brought in, the results will be most satisfactory. Further, it is only after wiping out this old thing that the building up of a new order is possible.

Then it has been said that the members of the co-operative organisations have enjoyed with the money that they have borrowed. If the members of the co-operative societies had taken advantage of cheap credit, they had suffered sufficiently well for that credit and I have had several letters even today saying that if the co-operative organisations are kept out the conditions of the poor members of the co-operative society will be very very unsatisfactory. I, therefore, plead that

the co-operative society should be brought within the Act. I would go further and plead that all organisations should be brought within the Act, including Government. Government is the biggest creditor We are all indebted to the Government in one form or another and if the Government would come in and share with all the other organisations the responsibility of giving concessions to debtors, then the bankers and big creditors will reorientate their whole outlook. I therefore submit that the Government should also be brought within the scheme.

PRESIDENT : In wat way? Is it in the matter of land revenue collection or agricultural loans?

MR. K. K.KURUVILLA: Agricultural loans.

May I now speak a word on behalf of Government servants who are not receiving high salaries. For example I have with me representations from school masters. I understand that there is a circula- that if a Government servant cannot wipe off all his debts in 24 instalments, he should go out of office. Well, such a circular will affect school masters adversely and I therefore make a special appeal on their behalf. Sir, most of the school teachers get a salary of Rs. 24 or thereabout and they may not be able to clear all their indebtedness within two or three years and if that circular is enforced, they will get no advantage out of this new Act. I wonder why the Government servants who are members of this committee have not brought this to the notice of the committee. As I have submitted, I am not speaking on behalf of the highly paid Government servants who may be able to pay their debts within a year, but I am particularly speaking of the poor school masters who get a salary of Rs. 20 or 25, whom I have occasion to know. The circular in regard to them should be withdrawn.

There is another point which I have to draw your attention to. Some arrangement must be made to satisfy the creditor. Several suggestions have been made in this connection. I feel that if any responsibility is to be taken, that must be taken completely by the Government. I doubt very much whether any joint stock company or even the Credit Bank will give us complete satisfaction. I do not know whether I am in order, but many of our organisations have taken shares in the State Aided Bank with the feeling that the Government will be behind the bank to help them financially.

PRESIDENT : I may make it perfectly clear that the State Aided Bank had its management entirely by its Board of Directors and that the Government had nothing to do with the conduct or policy of the Bank, excepting to the extent that the Government had included, rather imprudently, one of its representatives in the Board of Management of the Bank.

MR. K. K. KURUVILLA : I know that the Government have already taken shares in the Credit Bank. If that is so, in the case of meeting the needs of the creditors and debtors, the Government will, I hope, take the responsibility of meeting this need.

MR. R. SAMBASIVA AIYAR (*Member, Sri Mulam Assembly*): I feel firmly that the sole factor that should entitle a person to relief is his inability to pay. If a person is unable to pay he may be given relief. I should say that not merely interest, but even a portion of the principal amount may in some cases have to be reduced.

PRESIDENT: Order, Order. I find only five speakers who have given their names. I asked the Secretary to find out who were willing to take part in the discussion, because if I get the names, I thought I could arrage them in a particular manner and call them according to the views they represent, so that there may be some kind of arrangement brought into effect.

MR. S. KRISHNA AIYAR (*Member, Sri Mulam Assembly*). Very few of us knew that there was such an arrangement.

PRESIDENT: There is no arrangement. I asked the Secretary; probably he has not been able to collect the names. I hope if honourable members were to hand over to the Secretary the names of those who wish to take part in the discussion, then I shall arrange them in some order and call them one after the other.

MR. R. SAMBASIVA AIYAR: The honourable member who spoke just now said that after all, it is a question of interest and nothing more and that whether a person is able to pay or not, there must be a retrospective reduction of the interest. That is not the correct position to be taken up. If the agriculturist is unable to pay, he may have to be given relief. It may be by reduction of interest, or in some cases by reduction of even a portion of the principal amount. But, simply because he calls himself an agriculturist, and says that there has been economic depression, he should not be allowed to break his plighted word with his creditor.

At this stage, I shall submit the past history of this agitation. The above question was prominently brought before the legislature when Act III of 1112 was being discussed. It was contended that because of the economic depression, there should be general retrospective reduction of interest. That contention was negatived by the legislature and conciliation was adopted as the proper method for giving relief to the deserving debtor. It is as a result of that Act that Conciliation Boards came into existence. The Conciliation Boards would give relief to such debtors as are unable to pay. True at the second reading of the Bill the interest was retrospectively reduced from 1105 in all cases to six per cent. But, at the third reading, the matter was again considered. Fresh amendments were brought in and after great consideration it was proposed that the only relief that could be given was a flat reduction of future interest to six per cent. for all past debts; and six per cent. for secured debts and 9 per cent. for unsecured debts in all future transactions for a period of three years. This satisfied all the *bona fide* debtors and if any person was unable to pay that, he could go to the Conciliation Officer and ask for a reduction of the amount. The only defect in that Act was the lack of any provision for the payment of the reduced amount in cash to the creditor. There was no

agency to pay the scaled down debt. If the creditor gets the balance after reduction in cash, he would willingly allow reduction. But even before the three years period had expired the agitation for relief started again. The agitators are not *bona fide* debtors who are unable to pay. They think that debts can be discharged by agitation. It is the duty of the State to make them understand that debts can be discharged only by payment. Why do they not go to the Conciliation Board if they are unable to pay? The agitation is not going to end even if interest is reduced retrospectively.

There is no use in reducing the rates of interests retrospectively without the balance amount being paid in cash to the creditor. The agitators will not rest quiet even after the scaling down of debts by reducing the rate of interest. They will go on troubling again to get more concessions. There is no guarantee that the agitators will be satisfied with the present arrangements. Unless there is a provision for the payment of the reduced amounts there is no possibility of finding out any permanent solution of the problem of indebtedness. Therefore my submission is that we should ignore these agitators who are really able to pay up their debts. The interest of the State does not require that they should be given protection in any way in this matter.

My next submission is that if at all anybody is to be protected, it is the genuine agriculturists who are unable to pay. Why? It might be asked. The agriculturist community forms a large majority of the of the population in the State and they are the backbone of the country. They also give employment to a large number of people. Therefore the paramount interests of the State require that this community should be protected and not the industrialists or the traders or the planting community. Therefore it is my view that relief should be limited to the agriculturists who are unable to pay. In this connection I would also submit that the definition of the term 'agriculturists' should be much restricted and limited to a particular definite class of people. The definition given in the report is very wide. In similar Acts passed in British India many exclusions have been made. We must also have such exclusions. Those who pay income-tax or profession tax, etc., should be excluded. In short, I submit, all those who have non-agricultural income or who do not depend mainly upon agriculture as their source of income should be excluded from the definition of the term agriculturist.

MR. T. C. KESAVA PILLAI (*Member, Sri Mulam Assembly*): Are you an agriculturist?

MR. R. SAMBASIVA AIYAR: Yes, I am.

PRESIDENT: Order, order.

MR. R. SAMBASIVA AIYAR: As I submitted already, since it is intended that the State should come to the aid of the agriculturist debtor by scaling down debts by reducing the rate of interest or even by reducing the principal in some cases, one thing must be done, and that is, the creditor should be paid in cash the amount finally reduced. No expropriatory legislation should be passed by the State without compensation.

The State should finance the debtor by accepting as security his properties and the debtor should pay up his debts in cash. For that there must be an upper limit of liability say Rs. 3000 or 5000. A large majority of these liabilities are small amounts, and I think Government can finance the debtors to pay off these debts. Therefore, I say, that they must place some sort of upper limit for this. Government can get the money for this from their commercial schemes like the Pallivasal Hydro-Electric scheme, the ceramic venture, the Transport scheme, etc. These would give in future much profit which could be utilised for this. The income from these schemes may be set apart as sinking funds and the Government can realise their money from the debtors by means of the Revenue Recovery Act if they do not pay their instalments regularly.

Now, with regard to the rates of interest. The Regulation of 1010 fixed the rate of interest at 12 per cent. In British India the prevailing rates of interest were 24 per cent and even 36 per cent till the passing of the Madras Agriculturists' Relief Act. Though by that Act interest rates have been reduced, in practice, no good has resulted to the agriculturist community. The creditors and debtors collude to defeat the law. Higher rates of interest than that allowed by the law are very common there even now. The effect of the Madras Act in this respect has been reviewed by Mr. K. G. Sivaswami of the Servants of India Society in his monograph "Legislative Protection and Relief of Agriculturist debtors in India".

At page 320 he says :—

"........The effect of the Relief Act on the credit system is referred to in the replies to a questionnaire issued by the Madras Provincial Co-operative Union and published in its journal of December 1938 and is summarised below. The small holder or the uneconomic holder now agrees to an inflation of the principal of the loan to compensate for the loss created to the creditor by the legal rate of interest. The agriculturist who has excess lands, mortgages them with possession, thereby evading calculation of interest at the legal rate. Payment of interest in kind has been stipulated in certain cases. "Outright sale documents of lands in consideration of amounts advanced without specifying the oral understanding to reconvey the properties to the borrower on his paying the principal amount and the exorbitant rate of interest demanded by the money-lender are also said to be the rule where the professional money-lender still advances to the ryot." Bonds are renewed without making any reference to the previous documents. The period of loans has been shortened. Loans on pledge of jewels have increased.

We have to remember that the scope for falsehood in rural credit transactions started with the enactment of the Deccan Agriculturists' Relief Act in 1879, had a sudden expansion all over India with the enactment of the Usurious Loans Act of 1918, and since then has been steadily growing, reaching its peak to-day under the influence of debt legislation enacted after 1930."

The whole credit structure has been ruined by the passing of the Madras Act. At page 360 of the same book it is stated thus with reference to some hasty debt legislation passed in some of the Balkan States of Europe:—

> "In most of the States of South East Europe, a moratorium for 5 or 6 years was first declared from the year 1932. But it was in the States of Rumania, Bulgaria, and Yugoslavia that the results of a credit blockade were severly felt. The Government in power had to satisfy the demands of peasants. In Rumania the peasants were protected from the suits of creditors and from forced sales through courts. In Bulgaria the number of movable and immovable properties that could not be brought to public sale was enlarged. The result of the laws in Rumania was that creditors refused to lend.
>
> "No grocer, no tradesman, no factory, and no bank would give goods on credit, or money on loan to a debtor who could really no longer be forced to pay his debts. The credit stringency of the peasants became so acute that in some places riotous demonstrations took place in front of public offices. On the other hand the small village grocers who no longer gave salt, flour, petroleum etc., on credit were so much pressed that th y shut up their shops and moved into the towns. This unexpected result induced all the three Governments to make changes in the original legislation by which the rights of the creditors were better protected and the provisions of the law limited to the obligations already in existence, while, with regard to new credits, they left the existing law against defaulting debtors unchanged."

If the suggestions of the so-called representatives of debtors are accepted by the House, there will certainly arise a credit blockade in this country also and the result will be that even the shop-keepers may not sell their goods and all the commercial transactions within the State will come to a stand-still. That aspect of the question seems to be not considered at all. So, here protection should be extended to those who are purely agriculturists, in other words, the small holders. As for the big debtors like the disgruntled planters, the State need not at all consider their grievances. It is the large number of poor small holders that need help. There is no question of the State being affected by the ruin of these big, few planters. Mr. Haydon, President of the Travancore Chamber of Commerce has expressed the view that these big planter debtors do not deserve any State help since they have only to thank themselves for dissipating their income and sinking into debt. No, Sir, no consideration should be given to them. They are a class of debtors who do not deserve any protection from the State. I am of opinion that in the case of the poor agriculturists who are unable to pay we can reduce not only the rate of interest or the accumulated interest but even a portion of the principal amount in deserving cases. In any case, the creditor should be given cash in hand. There is no use in reducing the interest with retrospective effect for all cases. Some might say that this reduction should be effected even from 1105 when the depression set in or, for that matter, even from earlier days,

It is impossible to satisfy every class of debtors. The State must take up some definite decision on the lines which I have mentioned. The whole thing should be worked in such a way as to enable both the creditors and the bona-fide debtors to come together in agreement as good friends. No decrees or settled transactions should be allowed to be re-opened. Nothing should be done which would alarm the creditor community or affect the credit of the State. Irresponsible agitation should be curbed. Debts incurred for purposes of trade and debts due to co-operative societies should be excluded from any law intended to be passed. These are my views generally on this subject.

MR. J. E. A. PEREIRA (*Member, Sri Mulam Assembly*): This is a very important piece of legislation that has been long awaited in the country with much interest. I am very glad that the Government realising the importance of the measure thought fit to summon a joint Session of the two Chambers thus giving an opportunity to the members of the Legislature to hear the explanation of the Government and enabling the Government to get the assistance of the members. We are thankful to the Dewan-President for the explanatory speech, and as regards getting the assistance of the members which is our privilege and duty we readily agree to do so. The Dewan-President pointed out 4 or 5 points on which the Government wanted the opinion of the Legislature. To begin with, whether the agency should be on the voluntary method or whether the element of compulsion is necessary are instances. There is ample evidence, as pointed out by the Committee, to show that voluntary method has failed. Therefore, it is necessary to introduce the element of compulsion.

As the Dewan-President explained that when two contending parties approach with a view to settlement and if both the parties are on equal footing as in normal times, then, Sir, it can be maintained that such matters as sanctity of contract and sacredness of principle advanced are to be treated as inviolate and are not to be tampered with. But on the other hand, if one of the contending parties to the settlement is placed on unequal footing as when a debtor has absolutely no means of repaying and at the same time at the mercy of the creditor, then it is a case for relenting the principle of sanctity of contract and the sacredness of the principal sum, then it becomes a deserving case for scaling down the debt by compulsion.

As regards the point whether relief should be confined to small debtors or it should include rich debtors, there cannot be any difference of opinion that the agriculturists pure and simple deserve all the relief measure contemplated by the Committee. I also think that there is no need to extend the relief measures to the rich debtor as well; if we do so, we will be increasing our burden to find the solution. It is not correct to include persons who pay income-tax and other kinds of taxes under the term "agriculturist." Therefore I would plead for a better definition of the term "agriculturist." I personally prefer the definition in the Madras Act according to which persons who pay income-tax cannot be classified as "agriculturists." The rural indebtedness alone

is large and in addition to this if we include rich debtors, it will become simply colossal.

MR. KOTTUR KUNJUKRISHNA PILLAI: May I know by rural debts, the member means small debtors?

MR. J. E. A. PEREIRA: That is my impression. I speak on the assumption that rural debts consist entirely of small debtors.

Therefore I am not for including relief for rich debtors.

Coming to the recommendations of the Committee, if it is viewed purely from agricultural point of view, the recommendations of the Committee are very moderate and reasonable and will stand comparison very well with other Debt Relief Acts in Madras and elsewhere. The relief is confined to a remission of 20 per cent. on the principal if paid within fifteen months or 10 per cent. remission if paid in ten half-yearly instalments; in all other cases, debts are repayable in half-yearly instalments of not less than five years and not exceeding ten years subject to the proviso that no instalment should be less than Rs. 10 as well as the first instalment together shall not be less than 25 per cent. of the total debts or Rs. 5,000 whichever is less. As regards interest, 4½ per cent. on all debts before 1107 and 6 per cent. thereafter, if any interest in excess of the above has been collected, same should be recalculated and should be adjusted in the interest account and not be taken to 'Principal' account and in no case the interest payable should exceed 50 per cent. of the principal. All these are welcome measures from purely agricultural point of view.

The opposition to the recommendations of the Committee on the ground that sanctity of contract should not be broken is rather not in keeping with the prevailing conditions. It has been ascertained that the minimum required for a family budget is Rs. 144 per year and the statistics collected showed there were families with low income as Rs. 53 per year. It is more than a physical impossibility to make both ends meet under such circumstances. It is no more a question of keeping the proverbial wolf from the door but the wolf has already entered the premises and is causing ravages. Therefore sanctity of contract must yield place to dire necessity.

But I cannot understand why the Committee had included 'Trade debts' at all. The bogey of depression according to me, has been over-exaggerated. The depression had been with us for the last two decades; we had been inured in it and we have become acclimatized to it so to say. What I mean, Sir, is depression standard had become 'normal standard.'

Trade debt has been defined as the price of goods purchased for purposes of trade and trade debt is one which is incurred on or after the 1st day of Chingom 1112 or continue to run after that date, interest is chargeable at 9 per cent. simple interest.

Some of the recommendations of the Committee cut both ways as the famous Morton forks. I shall presently explain this. If one creditor at the end of 1111 finds that one particular debtor's account is

stagnant for sometime previous and yet the creditor thought the solvency of the debtor still good and therefore had not taken any action such a creditor is penalised for his indulgence and singled out for punishment and as a corollary it must follow recommendation puts a premium on the carelessness and hard-heartedness of creditors.

If on the other hand, if a creditor had been vigilant and had filed a suit for the recovery and obtained judgment, power is given for the reopening of such decrees. It is too hard for a trader who had been vigilant over his rights to be treated thus. It means the negation of the principle that law helps those people who are vigilant over their rights. Therefore it will be seen that the recommendation of the Committee penalises those who are indulgent as well as those who had been vigilant over their rights.

Trade debts are not so widespread or deep-rooted as the rural debts are. Hence the traders never ask for any such relief. Therefore we, traders, feel we must decline the unasked relief.

The Committee themselves admit the general credit on trade has become paralysed; if this be so, and if the recommendations of the Committee as far as trade debts are concerned are accepted, I would submit that credit will become absolutely frozen and fossilised in due course so to say, and beyond being revivified into liquid state.

It is also well-known that capital is notoriously shy in Travancore and this being so, the recommendations of the Committee will simply drive them away all the more and I must remark that any legislation of that kind under contemplation will involve a serious interference with free normal work of economic laws of supply and demand and will end in the destruction of credit, which is unthinkable.

Further, Sir, if the trade debts are included, we will be increasing the burden to find wherewithal in order to give relief and no other part of the country around us has included trade debts. I believe, I have adduced sufficient arguments to convince the honourable members and the Government for taking away the trade debts altogether from the provisions of the proposed Bill and as far as rural debts are concerned, I heartily welcome the recommendation of the committee.

MR. H. O. L. MARIKAR (*Member, Sri Mulam Assembly*): Sir, on behalf of traders I demand that all that pertains to trade should be excluded from the operation of this Bill. A trader or merchant is not a money-lender or capitalist. No merchant could afford to lend his money on interest to agriculturists. Merchants have to maintain a large monthly-paid staff and pay rental for business premises and go-downs and the trade turn-over alone could keep him on. He depends less on his own capital but more on his credit. He draws capital from outside the State on security of his credit. He sells his wares on short-term credit but after a few regular transactions if one of the customers invest the amount due to the trader for purchase of land or for improvement of agriculture, the merchant is made to suffer loss of trade, loss of credit and to meet heavy expenditure without income. This is to show why traders' debt, debt due to the traders, should be excluded from the

operation of the Bill. The merchant is not at all interested to finance agriculturists for getting interest at any percentage. When once he finds that he could get no cash from his debtor, he is compelled to get the debtors' land mortgaged to him. By this transaction the House is not to regard the merchant as a money-lender or capitalist. He is involved in this transaction against his will and his own interest a ruinous transaction for a trader. The merchant is the link to keep the credit of the country with the outside world. He draws capital from outside. If the amount due to him from agriculturists is included in the operation of this Bill he will lose his credit with those outside Travancore, that is, Travancore will lose its credit. If the credit of Travancore is affected, the agriculturist will have greater sufferings than at present. The whole country is indebted. No organisation in the country is in a position to finance trade in the State. There is no indigenous bank to finance trade and if the merchants' credit is affected by this Bill, the flow of capital from outside will stop and thus will jeopardise the agriculturists themselves for whose sake this is brought. The trader must get every pie due to him to pay off his debt in full, which he cannot avoid. Therefore all that pertains to trade should be excluded from the operation of this Bill.

MR. HAJI HASSAN YACOOB SAIT (*Member, Sri Chitra State Council*): സർ, തിരുവിതാംകൂറിലെ കർഷകരുടെ വർദ്ധിച്ചുവരുന്ന കടങ്ങൾക്ക് പരിഹാരമാർഗ്ഗം നിർദ്ദേശിക്കുന്നതിന് നിയമിച്ചിരിക്കുന്ന കമ്മിററി കച്ചവടക്കടങ്ങളെ സംബന്ധിച്ച അനുകൂലമല്ലാത്ത പല വകുപ്പുകളും റിപ്പോർട്ടിൽ ചേർത്തിരിക്കുന്നു.

ഒരു കച്ചവടപ്രതിനിധി എന്ന നിലയിൽ എനിക്ക് അതിനെപ്പററി രണ്ടു വാക്കു പറയുവാനുണ്ട്. നാട്ടുകാരും വിദേശികളും ആയി പലരും ഈ നാട്ടിൽ കച്ചവടത്തിനായി പല സ്ഥലങ്ങളിലും വൻപിച്ച തുകകൾ മുടക്കി വ്യാപാരം നടത്തിവരുന്നുണ്ട്.

അനേകം വർഷങ്ങളായി നടന്നു വരുന്ന ഈ വ്യാപാരത്തിൽ ഡിക്രികളിലും മററും ആയി അനേകലക്ഷം രൂപ പിരിഞ്ഞു കിട്ടുവാനുള്ളതും ആകുന്നു. ശരിയായ രീതിയിൽ ഈ തുകകൾ പിരിഞ്ഞു കിട്ടുന്നതിനു സ്വല്പം എങ്കിലും വിഷമം നേരിടുന്നപക്ഷം കച്ചവടക്കാർ അവരുടെ തൊഴിലിൽ പരാജിതരായി പോകുകയും ചെയ്യുന്നതാണ്.

അസൽ മുതൽ സംഖ്യയിൽനിന്നും പത്തു ശതമാനമോ, ഇരുപതു ശതമാനമോ കുറയ്ക്കുന്നതിനുള്ള നിർദ്ദേശങ്ങൾ സ്വീകരിക്കുന്നതു് കച്ചവടക്കാരുടെ താല്പര്യങ്ങൾക്കു വിരുദ്ധമായിരിക്കും.

൧൧൦൮ കർക്കടകമാസം ഒന്നാം തീയതിക്കു മുമ്പ് നടത്തീട്ടുള്ളതും സ്ഥിരപ്പെടുത്താനുള്ളതുമായ കോർട്ടു ലേലങ്ങൾ പ്രതികളുടെ അ

പേക്ഷയിന്മേൽ, "സ്കെയിൽ ഡൌൺ" (Scale down) ചെയ്യുന്നതിനുള്ള നിർദ്ദേശം ആശാസ്യമല്ല.

അതുപോലെ തന്നെ ൧൧൧൪ കർക്കടകം ഒന്നാം തീയതിക്കുശേഷം നടത്തീട്ടുള്ള കോർട്ടു ലേലങ്ങൾ, സ്ഥിരപ്പെടുത്തിയിട്ടുള്ളതായിരുന്നാലും. പ്രതികൾക്ക് അതേപ്പററി ആക്ഷേപം ഉണ്ടെങ്കിൽ പുനർ പരിശോധനയ്ക്കു വിധേയമാക്കണമെന്നുള്ളതും വാദികൾക്കും മററും വളരെ വിഷമങ്ങൾ ഉളവാക്കുന്നതാണ്.

ചുരുക്കത്തിൽ പറയുന്നപക്ഷം ഈ റിപ്പോർട്ടിൻെറയും നിയമനിർമ്മാണത്തിൻെറയും പരിധിയിൽനിന്നും കച്ചവടക്കാരെ ഒഴിവാക്കണമെന്നാണ് എൻെറ ബലമായ അഭിപ്രായം.

MR. ABDUL TAYEB SHAIKH KADERBHOY (*Member, Sri Chitra State Council*): Sir, I may also say a few words on the matter. I do not understand what is the necessity of this Bill to be brought when there are already Conciliation Boards constituted by Government to help the agriculturists. If at all it is found necessary it must be framed in such a way that it must be to help only poor agriculturists and not rich landlords who get much more income than traders and who do not pay any income tax.

Trade debts should be considered on a separate footing. Without credit facilities, no trade could be carried on. Trade debts should be exempted from the operation of the Bill.

Unless credit is allowed, trade is not possible. Sir, some of the traders, like foreign traders who have come here, have invested lakhs and lakhs of rupees in their business and they have to realise much more than what they have now in their hands. If such Bills are passed, they will not get a pie from outside and they cannot realise anything from the persons who owe them money. So, I submit that such things should be considered by the Government and by the members of the two Houses before they come to any final conclusion in regard to giving relief to the agriculturists.

I am in agreement with Mr. Pereira in what he said about other things. I request that Government may keep in mind the points regarding trade debts and industrial debts.

MR. KOCHIKAL P. BALAKRISHNAN TAMPI (*Member, Sri Chitra State Council*): Sir, a paper was circulated here in which we were asked to state whether we speak for creditors or for debtors. That set me thinking whether any one here has necessarily to speak or can speak for the one class or the other. Anyway I can speak for myself and for a number of my friends who have not identified themselves with either debtors or creditors.

PRESIDENT: Who asked the honourable member to speak for one class or the other?

MR. KOCHIKAL P. BALAKRISHNAN TAMPI: An enigmatic paper went round.

PRESIDENT: Nobody can ask honourable members to range themselves on the side of the creditors or of the debtors.

MR. KOCHIKAL P. BALAKRISHNAN TAMPI: It is a matter in which one's personal credit might be affected.

I am glad that Mr. Sambasiva Aiyar concedes that certain concessions ought to be made with regard to the debtors even to the extent of writing off. I hope that the money-lending interests will take that reasonable attitude taken by an eminent representative of that class.

First of all, I have to congratulate the Committee on the very able report that they have produced. The very test of its excellence is that it does not entirely satisfy any class. In a matter like this it is the test of its excellence. It does not satisfy either the money-lending classes who speak with tears in their eyes about the sanctity of contracts nor does it satisfy the debtor who wants to evade payment. By that I do not mean to say that we must accept the recommendations of the Committee in toto. Personally I do not understand the reason why certain classes of debts are excluded from the operation of the relief measures. The first to be exempted is any debt or other liability due to Government. The Government in this matter is not the juridical State. The Government here represents the biggest creditor. Why should there be any sanctity attached to a debt due to Government when Government expects the creditor to forego a portion of the money lent by him?

PRESIDENT: Apparently because Government is the embodiment of the poor people in the State.

MR. KOCHIKAL P. BALAKRISHNAN TAMPI: The paradox of it is that while it represents the poor class of people it is the richest corporation.

PRESIDENT: A number of poor people joined together tend to become rich.

MR. KOCHIKAL P. BALAKRISHNAN TAMPI: The same observation applies to payments due to any municipality or village panchayat. As regards exemption of any liability in respect of maintenance, whether under decree of court or otherwise, as far as the Criminal Procedure Code is concerned there is provision therein for varying the decree and I do not see any reason why the exemption should apply to civil decrees also. Then what about debts due to Sri Pandaravagai. I protest against the idea of Sri Padmanabha being represented as a relentless creditor. He never wanted to lend out money. To deserving people sometimes some money may be given and all that the Devaswom will be interested in is to get back the amount lent out, but not as a money-lender, so that there is no reason why the concession should not be extended to such moneys also. In fact it is Sri Padmanabha that should set the example in this direction.

PRESIDENT: Order, order. Honourable Members may not perhaps be aware that at a time when interest was ranging between 6 and 12 per cent. per annum, the funds of Sri Pandaravagai were lent out at 2 and 3 per cent. per annum. Of course, if people do not pay for 25 years, and I know of cases in which repayment has not been made for such long periods, it is a different matter.

MR. KOCHIKAL P. BALAKRISHNAN TAMPI: I refer not only to the rate of interest but also to the instalments and other concessions available to other debtors, as for instance, the scaling down of debts.

On another ground also I object to this. Why should this Devaswom alone be exempted?

PRESIDENT: It is the only money-lending temple.

MR. KOCHIKAL P. BALAKRISHNAN TAMPI: There are other temples also that lend out moneys.

PRESIDENT: I am glad to get that information.

MR. KOCHIKAL P. BALAKRISHNAN TAMPI: There are also churches and mosques to which moneys are due. So, if on principle you are going to exclude religious institutions from the operation of the Bill you must exclude all the religious institutions to which moneys are due. But I do not recommend this at all.

Any debt due to Sri Padom. Lest I be accused of disloyalty, I make no remarks.

I fail to understand the great tenderness shown to Jenmis and Edavagais. If they are rich enough why should they not show the same concession which we expect the other classes of creditors to make? Therefore it is time that we reconsider the question of the classes to be exempted from the provisions of the new legislation.

MR. E. E. PANDARATHIL (*Member, Sri Mulam Assembly*): Is not the amount due to the Jenmies to be treated as accumulated arrears consequent on the concessions shown by the Jenmies to their tenants?

MR. KOCHIKAL P. BALAKRISHNAN TAMPI: Even in spite of the provocation offered by the very able Jenmi representative I am not prepared to go into the history of the Edavagais, whether the first robbers who got into possession of land-surface are entitled to all the privileges for eternity and other controversial matters. I am only concerned with the present and I am much more concerned with the early passage of the Bill without any controversy. I only mean to say that the Jenmies of the present day are not in a worse situation than the poor creditors who are expected to make the sacrifice under the proposed Bill.

I leave item 9 because there is enough trouble between debtor and creditor and let us not add to it one more political or diplomatic trouble. Therefore I think it is wise to leave it outside the operation of the proposed legislation.

Mr. Sambasiva Aiyar has been reading at length from Mr. Sivaswami's book regarding the working of the Madras Act. I anticipated him, Sir.

I am coming with Grote's History of Greece. I shall read a few lines from pages 100 to 103 about Solon's Law just to impress upon the gentlemen present here how the talk about the sanctity of contract, the inviolability of contract, that trade and commerce will fly from the land, that credit will sink all metaphors. Beyond the metaphor value it has very little meaning has been reputed for ages. It is true that for some time the creditors or money-lending interests will look for investment of capital elsewhere. Then wisdom will dawn upon them and they will begin to apply capital to profitable enterprises. It is not of recent origin either. As a lawyer and one who has been trained in the tradition of conservatism in the matter of contracts I would not advocate that contracts should be violated. But when exceptional times come, during war time, in cases of *vis major*, we will

have to revise our notions regarding contracts. There we do not directly encourage the people to violate the law, but the State steps in and gives them relief so that there may not be cases of people being forced to break their contracts. It is said in *Vyvahara mala*, an ancient Sanskrit Law Book that it is *dharma* that interest should be written off in times of scarcity. Solon's law in any event, cannot be said to be very recent. It is said :

> "Of all grievances the most urgent was the condition of the poorer class of debtors. To their relief Solon's first measure, the memorable Seisach-theia, or shaking off of burthens, was directed. The relief which it afforded was complete and immediate. It cancelled at once all those contracts in which the debtor had borrowed on the security either of his person or of his land, it forbade all future loans or contracts in which the person of the debtor was pledged as security ;......"

Sir, it is not in the attitude of a philanthropic society that has gathered on a Sunday afternoon that we are discussing this question. There is no question of our patronage to the poor debtors. On the other hand we have gathered here to deal with an economic question of very great importance. When in exceptional times on account of the fall in prices the real basis of society has been affected we come here to find a solution. For no fault of theirs the debtors have been incapacitated from paying off the amounts they had promised and what is the provision that the State has to make for it? It will be very difficult to make an invidious distinction between the poor man, the poorer man and the poorest man and the making of a law in this respect is very difficult.

My historic investigations go farther back to the history of another land. I shall now read a few lines from Mommsen's History of Rome, abridged by Bryans and Hendy.

> "First the interest in arrear was struck off and that already paid was deducted from the capital. Secondly the creditor had to accept as payment the property of the debtor at its estimated value before the general depression caused by the civil war which of course was only fair inasmuch as it compelled the creditor to bear his share of the general fall in values."

The maximum interest under the Twelve Tables was fixed at ten per cent. but later it was reduced to 5 per cent. in 347 B. C. So, by the side of Mr. Sivaswami's illuminating discussion on the working of the Madras Act we have the high authority of Mammsen and Grote. I am prepared to say that in exceptional times the State must interfere and try to do the right thing by the people who are hit hard for no fault of theirs, if at all we want to do anything good by the people.

As regards decrees, during the last few months the creditors have been showing an indecent haste in getting the decrees passed and in executing them. Therefore it is only right and proper that decrees also should come within the operation of the proposed Bill.

As regards interest, certainly there should be a reduction. In spite of the bias of the distinguished banker and ex-Dewan who presided over the Committee, I should say that the rate of interest is not so high as one would normally expect from a banker. Yet, Sir, I would say that the rate of interest proposed, 9 per cent. for banks, is much too high. The advantage will not reach thousands of people if the interest is kept so high. Similarly, 6 per cent. for unsecured debts and

4½ per cent. for secured debts are rather too high. It may be stated that because the banks have to pay dividends and interest on deposits they are entitled to some concession. Whether I understand it aright or not, in order to avoid a tussle with the bankers I may say that the bankers may be allowed a flat rate of 6 per cent. while 4½ per cent. and 3 per cent. may be adopted for unsecured and secured debts respectively. In fact, these things are necessary in the interests of the State also. We must not allow things to be concentrated in the hands of a few. It must be the endeavour of the State to see that the middle class people, the best bulwark against the invasion of subversive and revolutionary doctrines, are not wiped out. In the interests of society at large, in the larger interests of the State, there must be a substantial number of small land-owners. Even Mr. Ananthâsiva Aiyar seems to endorse my view, so that I am sure it will be acceptable to the other honourable members of the Legislature.

MR. C. N. THUPPAN NAMBOODIRI (*Member Sri Chitra State Council*) സർ, ഋണമോചനത്തെപ്പററി നിരൂപണംചെയ്യുന്നതിലേക്ക് കിട്ടിയിട്ടുള്ള ഈ അവസരത്തിൽ എനിക്കും രണ്ടു വാക്കു പറയേണ്ടതായിട്ടുണ്ട്. രാജ്യത്ത് സുഭിക്ഷതയുണ്ടാകണമെങ്കിൽ സാധാരണ ജനങ്ങളുടെയിടയിൽ കൊടുക്കൽ വാങ്ങൽ ധാരാളം നടന്നുകൊണ്ടിരിക്കണം. പണ്ടത്തെ ചില പുരാണങ്ങളിൽതന്നെ ഒരു പ്രഭുവില്ലാത്ത ദേശം, ആറില്ലാത്ത രാജ്യം, താമരയില്ലാത്ത കുളം, ഇവയൊന്നും സുഭിക്ഷതയുണ്ടാക്കുകയില്ലെന്നു പറഞ്ഞിട്ടുണ്ട്. ഒരു ദേശത്ത് ഒരു പ്രഭു ഉണ്ടായിരുന്നാൽ ആ പ്രഭുവിൽനിന്നും ആ ദേശത്തെ ജനങ്ങൾക്ക് വളരെ ഗുണങ്ങൾ ഉണ്ടാകും. ഇന്നാകട്ടെ ആ നില മാറിപ്പോയി. ഒരാളിനോടു പത്തു രൂപാ ചോദിച്ചാൽ, മുമ്പു വിശ്വാസമില്ലെങ്കിൽ കയ്യിലില്ല എന്നു പറയും. ഇന്നാകട്ടെ തരാൻ സാധിക്കയില്ലെന്നു തീർത്തു പറയും. കൊടുത്താൽ നിശ്ചയമായും തിരികെ കിട്ടുകയില്ലെന്നു ഒരഭിപ്രായം ജനങ്ങളുടെ ഇടയിൽ ജനിച്ചിട്ടുണ്ട്.

കർഷകരെ സഹായിക്കുക എന്ന ഭാഗം വളരെ പ്രധാനമായി ആലോചിക്കേണ്ട ഒന്നാണ്. രാജ്യത്തെ സാമ്പത്തികനില ഉൽകർഷത്തെ പ്രാപിക്കണമെങ്കിൽ കൃഷി വർദ്ധിപ്പിക്കാതെ നിവൃത്തിയില്ല. "കർഷകൻ" എന്നതിന്റെ വ്യാഖ്യാനം വരുമ്പോൾ ഏതെല്ലാംതരത്തിലാണ് കോടതി വിധി കല്പിക്കുന്നതെന്നുള്ള സംഗതി കണ്ടറിയേണ്ടതാണ്. നെൽകൃഷിയെ സംബന്ധിച്ചു പറയുകയാണെങ്കിൽ സാധാരണ പ്രഭുക്കന്മാരുടെ അറയുടെ താക്കോൽ കർഷകന്റെ കയ്യിലിരിക്കുന്നു എന്നുവേണം പറയാൻ. കർഷകൻ ഉഴവു കഴിച്ചു പ്രഭുവിന്റെ അടുക്കൽ വന്നു

൫൦൦ പറ നെല്ലു വേണമെന്നു് ആവശ്യപ്പെട്ടാൽ ഉടനെ അതു കൊടുക്കും. ഇങ്ങനെ കൃഷിക്കാവശ്യപ്പെടുന്ന നെല്ലും പലിശയും വിളവെടുപ്പുകാലങ്ങളിൽ കൊടുത്തുകൊണ്ടിരുന്നു. ഇന്നാകട്ടെ കൃഷി ഇറക്കേണ്ട അവസരങ്ങളിൽ നെല്ലു വേണമെന്നാവശ്യപ്പെട്ടാൽ തിരികെ കിട്ടുകയില്ല എന്നുള്ളതുകൊണ്ടു നെല്ലു കൊടുക്കുകയില്ല. അതുകൊണ്ടു കർഷകർ കഷ്ടപ്പെടുന്നു. ഇവിടെ കൊണ്ടുവന്നിരിക്കുന്ന നിയമംകൊണ്ടു കർഷകർക്കു സഹായമുണ്ടാകുമെന്നു ഞാൻ വിചാരിക്കുന്നില്ല. തെങ്ങു്, നെല്ലു് മുതലായവ കൃഷിചെയ്യുന്നവർ കൃഷിക്കു വാങ്ങിക്കുന്ന കടം വളരെ തുച്ഛമാണു്. പിന്നെ റബ്ബർ മുതലായ കൃഷിക്കു വലിയ സംഖ്യ ചിലവാക്കിയിട്ടുണ്ടു്. വിലയുടെ ഇടിവുകൊണ്ടു കുറെ കടവും ഉണ്ടായിട്ടുണ്ടു്.

ഒരു കൂലിവേലക്കാരൻ ജോലിചെയ്തു പത്തോ ആയിരമോ രൂപാ ഉണ്ടാക്കി, അവസാനകാലത്തു അതിൻെറ പലിശ വാങ്ങി ഉപജീവനം കഴിക്കാമെന്നുള്ള വിചാരത്തിൽ ആ തുകയെ ഒരു പ്രഭുവിനെ ഏല്പിക്കുന്നു. ഒടുവിൽ പ്രഭു അധമർണ്ണനും കൂലിവേലക്കാരൻ ഉത്തമർണ്ണനുമായി കേസു കൊടുക്കേണ്ടിവന്നേക്കും. ഈ തുക ൫൦ കൊല്ലംകൊണ്ടു കൊടുത്താൽ മതി എന്നാണു് വിധിയുണ്ടാകുന്നതു് എങ്കിൽ ആ കൂലിവേലക്കാരൻെറ സ്ഥിതി എന്തായിരിക്കും. മററു രാജ്യങ്ങളിലുള്ളതുപോലെയല്ല ഇവിടുത്തെ കടക്കാരൻേറയും ധനവാൻേറയും നില എന്നു പ്രസിഡൻറവർകൾതന്നെ രണ്ടു മൂന്നു പ്രാവശ്യം ചൂണ്ടിക്കാണിച്ചു.

മിസ്റ്റർ. ബാലകൃഷ്ണൻതമ്പി ജന്മിമാരെ സംബന്ധിച്ചിടത്തോളം ഇതിൽ ഉൾപ്പെടുത്താൻ പാടില്ലെന്നഭിപ്രായപ്പെട്ടതായിട്ടാണു് എനിക്കു തോന്നിയതു്. ജന്മിമാർ ധനികന്മാരാണെന്നാണു് എൻെറ സ്നേഹിതൻ ധരിച്ചിരിക്കുന്നതു്. ജന്മിമാർക്കുള്ള സകല പ്രഭുത്വവും നശിച്ചു. ആദായങ്ങളുടെയെല്ലാം ഒരു ചെറിയ ഉച്ഛിഷ്ടമാണു് ജന്മിക്കരം. അതു് അവരുടെ ഉപജീവനത്തിനുതന്നെ മതിയാകുന്നില്ല. എൻെറ സ്നേഹിതൻെറ അഭിപ്രായമനുസരിച്ചു അതും കൊടുക്കണ്ടാ എന്നു വയ്ക്കുകയാണെങ്കിൽ അതുകൊണ്ടും എനിക്കു സങ്കടമില്ല. ജന്മിക്കരം ഏർപ്പാടു തുടങ്ങിയതിനുശേഷം മിക്കവാറും പട്ടിണിരൂപത്തിലാണു് ൯൫ ശതമാനം ജന്മികളും കഴിച്ചുകൂട്ടുന്നതു്. ജന്മിക്കരത്തെ സംബന്ധിച്ചിടത്തോളം കമ്മിററിക്കാർ നല്ലവണ്ണം ആലോചിച്ചാണു് വ്യവസ്ഥചെയ്തിരിക്കുന്നതു്.

MR. KALLOOR NARAYANA PILLAI (*Member Sri Chitra State Council*) ഒരു വലിയ ജന്മി അധമർണ്ണനായിരിക്കാം. ആ ജന്മിയെ ഈ നിയമത്തിൻെറ പരിധിയിൽ വരുത്തേണ്ട ആവശ്യമുണ്ടോ?

MR. C. N. THUPPAN NAMBOODIRI : അധമര്‍ണ്ണന്റെ സ്ഥിതി എന്താണെന്ന് ആദ്യം നോക്കണം. കടം കൊടുത്തു തീര്‍ക്കാന്‍ സാധിക്കുന്നവരും അല്ലാത്തവരുമുണ്ട്. കടംവാങ്ങി വസ്തു സമ്പാദിക്കുന്ന കടക്കാരുമുണ്ട്. ബാങ്കില്‍ ഡിപ്പോസിറ്റുള്ളപ്പോഴും കടം കൊടുത്തുതീര്‍ക്കാതെ കഴിക്കുന്നവരുമുണ്ട്. ഒരു കേസില്‍ കോടതിയില്‍ നിന്നും വാറണ്ടയച്ചു ജയിലിലേക്കു പോകാന്‍ ഉത്തരവിട്ടപ്പോള്‍ അയാള്‍ വസ്തു കൈമാററം ഒന്നും ചെയ്യാതെതന്നെ 500 രൂപാ കെട്ടിവച്ചു. ഇങ്ങനെയുള്ള കടക്കാര്‍ധാരാളമുണ്ട്. സാധുക്കളായ കടക്കാര്‍ക്ക് കൂടുതല്‍ രക്ഷാമാര്‍ഗ്ഗം നാം കണ്ടുപിടിക്കേണ്ടതാവശ്യമാണ്. കടം വാങ്ങിക്കുന്നവര്‍ സ്വല്പം ബോധത്തോടുകൂടി പെരുമാറേണ്ടതാണ്. ഈ വിഷയത്തെപ്പററി നല്ലവണ്ണം ഈ സഭ ആലോചിച്ചു ശരിയായ ഒരു മാര്‍ഗ്ഗം നിര്‍ദ്ദേശിക്കേണ്ടതാണ്.

MR. M. L. JANARDHANA PILLAI (*Member, Sri Mulam Assembly*): Sir, I have been very carefully trying to understand the Report of the Debt Relief Enquiry Committee.

PRESIDENT: In response to my suggestion, forty honourable members have given their names. Assuming that each one of them will speak for ten minutes, we shall require three or four days' discussion. The House will sit to-morrow and, unless honourable members insist on sitting for some time on Wednesday, I would, in view of certain engagements that we have and in which, I am sure, honourable members would like to take part, suggest that we meet on Thursday. If the debate is finished to-morrow, well and good (*Laughter*); but, with forty members yet to speak, that is not likely.

(It was agreed that the House need not meet on Wednesday, and that, after Tuesday, the debate should be continued on Thursday.)

MR. M. L. JANARDHANA PILLAI: Sir, I should congratulate the authors of this Report for their very valuable recommendations.

Sir, it has always been my considered opinion -- and I have given expression to it more than once, here and elsewhere—that the agriculturist class in Travancore stands in need of immediate relief, and that any Government solicitous of the welfare of the agricultural community in Travancore must come forward with a comprehensive legislation which will safeguard their interests at this critical period. Viewing the question from that standpoint, I am in entire agreement with many of the recommendations made by the Committee.

But, Sir, I have also taken care to point out on previous occasions how it is equally necessary clearly to distinguish between those agriculturists who stand in real need of relief and those others who had taken to other activities and thereby incurred large amounts of debts which they now would like to be scaled down. To my mind, the question that ought to engage the serious attention of this House is whether the latter class of agriculturists should be brought within the ambit of any relief measure. I for one would say that it is only the poor agriculturist that stands in real need of relief. I may perhaps make myself clearer and say that it is only those agriculturists who own small extents of property and whose debts do not exceed, say Rs. 5000,

that should be given any relief in the matter of scaling down their debts or facilitating repayment of debts. Certainly, it is not fair or reasonable to ask for any relief in favour of big landlords who are and always have been capable of negotiating on equal terms with their creditors. Even today, it has been pointed out how, in this country, there are influential men, speculators, who, some years back borrowed huge sums of money from all sources wherefrom they could borrow and ventured upon all manner of speculative enterprises, and who now find that they are unable to pay back their debts, and how such influential men, with their financial backing, have organised country-wide agitation to see that some legislation is brought into effect by which they could have their debts written off or at least scaled down, by which decrees against them could be re-opened, by which properties sold in court auction some years ago would again be theirs. Sir, that is a very vicious attempt which will terribly break down the financial position of this country.

Sir, it has been stated by people who have been able to study the economic condition of Travancore that Travancore is not after all a rich country, and that the average earning capacity of a Travancorean is very low. Sir, whatever liquid capital we have in circulation in this country now is not entirely that of the rich Travancoreans a substantial portion of it has been brought in by outsiders, industrialists, bankers and commercial men. If we create the impression in the outsider that his money would not be safe in Travancore and that he could not get it back in a reasonable manner or within reasonable time, there is no doubt that commerce and industry in Travancore would get worse. Already, signs are not wanting to show that the outside investor is unwilling to invest in Travancore even temporarily; because, nobody knows when a law will be passed making it impossible for him to get back his money. People came and invested their money here relying on the law then in force in the country. Having made them invest their money under those circumstances, it is not proper now to change those laws on which they relied; in fact, any such change would be dangerous to the country's credit, trade, commerce and industry. I know that outside agencies which have invested money to supply goods on the credit of this country are withdrawing their capital from this country simply because they say, "In your State there is no security, no possibility of our being sure that we can get back our money." Where does the agriculturists get their money from? In regard to the conditions in Travancore, as they do appear at present, is there any clear line of demarcation between the poor agriculturist and the poor commercial man? That is a point which should engage our kind attention. The agriculturists get their advance from the commercial man to whom they sell their produce. We must depend upon the investments made by a bank or a commercial man so that one may carry on his agricultural avocation in the proper form. What about the pumping operation in Kuttanad during the sowing season? He must borrow his petroleum; he must borrow other materials also. All these things have to be considered. Notwithstanding the fact that the average agriculturist whose income is very low, whose resources are very low and who finds in a very very difficult position to get out of the situation; the limit of the credit of such agriculturists must be fixed by us. Those agriculturists

certainly deserve all the consideration at our hands. But to say that all men who describe themselves as agriculturists when they execute documents in the Sub-Registrar's office or when they give depositions in a court of law,—howsoever rich they may be, for the mere fact that they have debts,— they should not be classified as agricultural debtors,— to say that they should be given all the benefits of the legislation will be the very negation of the idea of the Government or the legislature in introducing a legislation for ameliorating the debts.

The trade debts must certainly be viewed from a different aspect. I can understand the difficulty of the Government and the legislature in making a distinction between trade debts of an agriculturist and the agricultural debt of an agriculturist. But notwithstanding that fact, if such a distinction is not made in the existing circumstances of the country, a man taking rice, paddy, piecegoods and other articles for conducting a shop in a place which is an agricultural centre and whose main occupation is agriculture, certainly he will bring forward the argument that he is an agriculturist and therefore he is entitled to all the privileges that the law confers on the ordinary agriculturists. Therefore, a very clear distinction has to be made. With these words, I have very great pleasure in supporting many of the recommendations made by the committee. If the suggestions made by me are duly considered and given effect to, it will go a very long way to get over some of the most difficult problems of the agriculturists.

SRIMATHY T. NARAYANI AMMA (*Member, Sri Mulam Assembly*):

Sir, I have very great pleasure in extending my hearty support to the Report of the Debt Relief Enquiry Committee. It is undoubtedly a very valuable document and in every way justifies the confidence reposed in the committee, by the public. That the Government did well in having appointed such a committee is also even more evident from the facts and figures contained in the Report. The committee's decision that any relief measures that might be suggested should be made available not only to agriculturists but to all debtors in the State, will be generally commended. And it is gratifying to find that the recommendations made by the committee are in accordance with this decision of the committee.

Sir, with regard to this question of debt relief I wish to refer only to one particular kind of creditor namely women creditors. No doubt there may be hard cases where an unsympathetic debtor may intentionally try to defer payment to poor creditors. But such cases cannot be completely avoided and the law can only try to minimise such evils as much as possible. The committee has wisely excluded some creditors and some kind of debts from the purview of the proposed legislation as for instance, liability arising out of breach of trust. Hard cases of women creditors who are poor, helpless widows etc., may also come under them. Sir, it is gratifying to find that the President has, this morning referred to the necessity of special provision for safeguarding their interests. I also wish to emphasize that aspect of the question and I press the necessity for providing suitable safeguards in the proposed legislation. With these words, I support the recommendations contained in the Report.

MR. KAINIKARA M. PADMANABHA PILLAI (*Member, Sri Mulam Assembly*): Sir, among the various points that have been placed by the President for the consideration of the House, to me it appears that the most important and the most fundamental point is the question as to whether a limit has to be fixed based either on the extent of the debt or on the wealth of the debtor. The other issues were the case of Co-operative Societies and banks, trade debts and the question of small creditors. The one other very important question raised was the extent, if any, to which Government can contribute financially for the relief of debtors. That, I think, I may postpone to the end of my remarks because that does not exactly form a part of the Bill. I therefore wish to confine myself mainly to the first point that has been stressed.

The two ways in which we can draw a line are either to place a limit on the extent of the debts or to draw a line based upon the properties and the wealth of the debtor. Before we go into the question in detail, one other fact has to be emphasised. The Committee that went into the question and submitted the report have included all kinds and classes of debtors in the purview of the Bill. The Dewan-President has told us this morning that he also agrees with that view that is, with the action of the committee including all kinds of debts and making no distinction between different kinds of debts. This fact has to be clearly borne in mind when we go into the question.

Now, shall we fix an upper limit based on the wealth of the debtor? The report of the committee says that one of the foremost reasons that has necessitated the legislation is the fall in the prices of commodities. The President has told us that he does not agree with the conclusions of the committee on that point. The conclusion of the committee is:—

> "This increase equally affects the small man and the big man and makes it necessary to alleviate both from the inequitable burden."

I find even today no reason to change my position which I took in the committee. The sentence quoted above does not mean to say that the rich creditor and the poor creditor deserve the same kind of relief. It does not say that they both deserve the same extent of relief. All that the sentence says is that they both deserve relief. There is one common difficulty which has equally affected both, *viz.*, the fall in the price of commodities. The committee has put it very pointedly when they say that the result of the fall in the price of commodities has been practically to double or treble the debt due to causes over which the debtor has absolutely no control. When I borrowed Rs. 1,000, I might have hoped to repay it by selling 1500 paras of paddy or 20000 cocoanuts. It was on that understanding and on that hope that I borrowed the amount. But, now to clear the debt, I have to sell double or even treble the amount of the agricultural produce.

MR. M. K. ANANTHASIVA AIYAR (*Member, Sri Chitra State Council*): Does that argument hold good for loans borrowed in kind?

MR. KAINIKARA M. PADMANABHA PILLAI: That is a different matter and it does not affect the question before me.

For these reasons, *viz.*, that the burden of the debtor has increased, has become double or treble owing to a reason which is uniform in the case of the rich and the poor and a reason over which he has no control, the committee has come to the conclusion that both these kinds of debtors deserve relief. But the committee has consciously and carefully left the sentence there and has not stated whether the relief should be of the same kind or to the same extent.

There is a second reason. One of the most difficult problems that the committee had to face and all the previous committees and the Assembly had to face is the inter-mingling of the debtors and the creditors in this country. I think there are only a handful of men in Travancore to whom money is useful only for the purpose of lending. Almost all men in Travancore are at the same time debtors and creditors. One may be a bigger debtor or a bigger creditor. That is all the difference. Suppose we exempt from the operation of the Bill the rich man or the so-called rich man. What is his fate? The smaller debtors who owe money to him get all the reliefs and enjoy the beneficial provisions of the law. By exempting the rich debtor from the operation of the Bill, he will have to pay his whole debts in full. This will apply in a very invidious way against the rich man.

Thirdly, if we go to other legislations we find that that such a distinction is not made anywhere else. It requires a word of explanation. If, for example, we look into the Madras or Cochin Acts, we certainly find an attempt to exclude persons of wealth from the operation of the law, for example, persons paying professional tax, income tax or Municipal tax. Yet I have stated that no such exclusion is made anywhere. I have to reconcile those two statements. In Cochin and Madras why is the exclusion made? Cochin and Madras Acts are meant exclusively for agriculturists. That is not the case here. Therefore, there the attempt is to exclude from the operation of the Act those persons who are deriving considerable income from sources other than agriculture.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Legal Remembrancer to Government*): May I know what is the significance of the word "agriculturist" in those two Acts?

MR. KAINIKARA M. PADMANABHA PILLAI: The man who cultivates the land.

MR. PUTHUPALLI S. KRISHKA PILLAI: An individual who has any interest in any immovable property whether it be a lease hold interest or some other interest in a land is an agriculturist under those two Acts.

MR. KAINIKARA M. PADMANABHA PILLAI: That is exactly why those exclusions are made. Because the definition of the word "agriculturist" was vague, these exclusions were made. There, the law was meant for agriculturists alone. But because of the vagueness in the definition of the word, other persons might also get included in it. So as to exclude those persons from the Act these exclusions are made in the Cochin and the Madras Acts. They never made a distinction between rich agriculturists and poor agriculturists, that is, among those for whom

the Act was intended. That is why I said that we have to bear in mind the difference between the Cochin and Travancore Acts. In the Bill appended in the report of the committee, we have included not only agriculturists but industrialists and commercialists, and therefore this kind of exclusion is not practicable here. Even in the existing Act in Travancore no exclusion is made. Rich men and the poor men are not differentiated. Therefore that kind of differentiation based upon the wealth of a man does not find a place in any legislation, either here or elsewhere. When once we decide that all classes of debtors have to be included in the Act, then it naturally follows that all debtors, whether rich or poor, has to come into the operation of the Act.

The second suggestion is with regard to placing a limit on the wealth. The Dewan-President, in the morning, said that when a debtor is capable of meeting his creditor on more or less equal terms and bargain successfully, there was no necessity for protection. I do grant it. But I might be permitted to say that by placing an upper limit on the debt, that purpose will not be served. On the contrary, it might even go against the purpose. Take the case of two debtors; a person who is extremely rich and who owes a debt below Rs. 3,000, and a person who is not so rich but with debts above Rs. 5000. If we are going to place an upper limit on the debts, the rich person will get the benefit and the poor man will not. This will be the usual case as the limit is not based on the capacity of the man to pay off the debts but on the amount of debts. Further, this will be difficult in application. Take another instance. A person's debt amounts to Rs. 30,000. We fix the upper limit at Rs. 5000. Then as it stands no relief goes to him. Then he dies. His sons divide his properties and debts and each gets less than Rs. 5000 of his debts. I have given an instance of an honest possibility. But the same method might be adopted by any debtor intentionally for the purpose of circumventing the provisions of the Bill. Thus such a limit will be impossible to apply and if applied it will be unjust in effect.

The intermingling of the creditor and the debtor equally applies to this case also. We do not find a clear debtor here. We do not find a clear agriculturist or an industrialist here. Every one is at the same time an agriculturist, an industrialist and often a Government servant. We cannot draw a definite line of distinction in this case. We can make differences when the question of relief comes. Then we will have to consider the question of wealth a debtor or a creditor has. A rich man may not require the same amount of relief as a poor man. A big debtor may deserve greater relief than a small debtor. When the Bill is before the House we would be in a position to bring forward amendments. We would be able to decide whether a particular clause should stand or go or stand amended. But when facing this problem in general it is impossible to make a distinction.

MR. G. NARAYANA AIYAR (*Member, Sri Chitra State Council*): Have not the Madras Act and the Cochin Act put any difference between the rich agriculturist and the poor agriculturist ?

MR. KAINIKARA M. PADMANABHA PILLAI: What I was saying is that the difference has to be made here also, only not at this stage but when the question of relief comes up. When a person has borrowed money at a very high rate of interest and finds himself incapable of repaying without selling his land, what is the injustice in giving him some relief in the form of reduction in the rate of interest? When a person has borrowed money and suddenly finds his annual income far below what he was getting, what is the wrong in allowing him to repay in instalments? There are several forms of relief. In any case my suggestion is that at this stage no distinction can be made, and no exclusions can be made. These we can do when we consider in detail the nature and the extent of help that ought to be given to the debtors.

MR. M. SIVATHANU PILLAI (*Member, Sri Mulam Assembly*): Sir, before I begin to offer a few remarks on this question I wish to draw the attention of the President to the fact that a few sheets of paper were seen by me on circulation in which I saw the names of members arranged under two headings one for debtors and another for creditors.

PRESIDENT: No, no. That was a mistake which has been corrected since.

MR. M. SIVATHANU PILLAI: Sir, the honourable members here appear to have already divided themselves into two sets one set to speak on behalf of debtors and the other on behalf of creditors. It appears that these members were waiting for an opportunity to attack each other. They are as it were, one set on the Maginot Line and the other on the Siegfried Line waiting to pounce upon each other. And my position is on the 'no man's land'.

PRESIDENT: That is very dangerous for you, being subjected to bombardment from both sides, (*Laughter*).

MR. M. SIVATHANU PILLAI I like it. So I am thinking of speaking on behalf of non-Travancorean creditors. When we embark upon a legislation of this kind we must also bear in mind the fact that it should not scare away capital from this country. We have also to bear in mind certain provisions made in similar enactments in Madras and Cochin. There, there is a provision for limiting the rate of interest. If we reduce the interest here less than that it is very probable that capital will flow out from Travancore and this contingency should be avoided as our State has launched on elaborate schemes of industrial progress for which borrowed capital may be necessary. I wish to draw the careful attention of this House to this important aspect of the question. What we want badly here is capital. So we must make such provisions as would attract foreign capital to our country when we propose to enact a legislation to give relief to the debtors. I want to make this aspect of the question very clear. It is true that debt is the most uncomfortable thing in the world. In our Tamil literature we read what Kambar has said about debt. This is what he says:

கடம் கொண்டான் நெஞ்சம்போல்
கலங்கினன் இலங்கைவேந்தன்'

That is the kind of feeling which a debtor experiences when he sees his creditor. An honest debtor could never have a peaceful mind. But in Travancore the reverse is the case with regard to the debtors. Here the debtor class seems to be the boldest of the lot. This aspect also should be borne in mind when we embark upon a legislation like this. What I mean is that honest debtors should be treated separately from dishonest debtors. This fundamental distinction between the two classes of debtors should be borne in mind.

Now, I propose to make a few observations with regard to the feasibility of some recommendaticns in the report. Firstly, I ask, how far the Government are justified in interposing themselves between the debtor and the creditor ; and how far they are justified to float debentures with a view to scale down and pay up debts. In my view I may say that Government shall have nothing to do with regard to the taking of any responsibility of the liability of debtor class of the people of the State. They may be justified in introducing an element of compulsion for the purpose of scaling down of debts. To raise a debenture by the Government, to find cash for the purpose of payment when at the scaling down of principal is to involve the Government unnecessarily in financial commitments. It will be a burden to be passed on to future generation as well, for which there is absolutely no justification. That policy if adopted, will entitle serious repercussions in the financial policy of the State. Even according to ordinary law of the land the debt of the deceased is only charged to the assets of the deceased and not personally on the son or heir of his. This statutary principle of the ordinary law is sought to be ignored. If the Government adopt the policy of raising a debenture so as to affect posterity, I say that is no moral justification for the Government to embark upon a financial policy of this kind. I ask the simple question whether we will be justified in floating a loan just for the purpose of paying off the creditors because they are willing or are forced to scale down their amounts of debts. I say 'No.' In trying to release debtors, it is only helping creditors. Government will never be justified to take up any financial liability in this affair. Supposing, at least for the purpose of meeting the requirements, even if you are prepared to make a distinction between agricultural and other debts, what will be the position ? The Government will have to levy the amounts on immoveable properties for repayment in instalments and the experience of Government in the matter of collecting agricultural loans wlil enable them to afford them sufficient forewarning. So, from whatever aspect or point of view, the Government will not be justified in the least to take up any financial responsibility whatsoever, except it be that Government can and will be justified in taking up the matter of introducing necessary legislative measures to ensure compulsory scaling down. That is my position.

MR. G. NARAYANA AIYAR : May I know from the honourable member the amount necessary if the Government propose to pay off the debts ?

MR. M. SIVATHANU PILLAI: It will be something like Rs. 20 crores. In fact, I cannot rely upon any figure, whether given by the Banking Enquiry Committee Report or any other enquiry. They are only the result of rambling investigations. It is therefore rather dangerous to rely upon such figures. I am also one of the loyal subjects of the State. I am neither a creditor nor a debtor. What I would say is that even if it is a question of a lesser amount, Government shall not take any responsibility in the matter which will entail an encumbrance on Government coffer to which my constituency perhaps contributes the biggest amount by way of heavy land tax. The Government can call upon the debtors and creditors and say "You have to compose your difference in the best interests of the State." The Government can compel the creditors and the debtors to come to an understanding. They may legislate a law where the element of compulsion may be emphasised. The money values in the pre-depression period and now are different and there is some argument in saying that the amounts can be scaled down. The debtor may be given a reasonable opportunity to make a reasonable offer to the creditor. In other words, the debtor may evaluate one or two of his properties and say to his creditor "Please take my property in satisfaction of the amount of debt." If the creditor now refuses to take up that, the inference will be that he is not an honest creditor; and the reasonable offer of the debtor in terms of property may be enforced. In other words, let the legislation say, "You advance the loan to this particular debtor on the strength of his security whether personal or immovable property." It is true that as a result of the economic depression, over which the debtor had no control, the property's value has gone down. A property worth Rs. 1,000 formerly will fetch only Rs. 500 now. If the creditor is not prepared to take it, by all means, give powers to courts to scale down the debt and enforce satisfaction in terms of property. This method of compulsion affords reasonable advantage. But why should the Government come forward with the responsibility directly taking the burden upon them? Let the creditor without the prospect of a security suffer. Of course, if there is no security there is always some risk in the contemplation of which the creditor must have got some compensation from the debtor. What I say, therefore, is that the Government should not in any way commit themselves in any financial responsibilities.

Then, with regard to the rate of interest. Of course, arguments for lowering the rate of interest as well as for keeping the present level have been advanced. As I have suggested in my preliminary remarks, you must, in this connection, bear in mind the prevailing rate of interest in the State to avoid the flight of capital from this country. The rate of interest may be fixed, howsoever it may be, only in respect of present debts. In other words, with regard to debts to be incurred subsequent to this legislation, there shall not be any limitation. Let the parties be allowed to suggest their own terms, so that the capital may have the freedom to choose its interest. Let the capital flow into

this country. If the honourable members are really sincere in the matter of giving relief to the debtors, let the relief be given to the existing debts, but let it not be extended to future debts.

Much was made with regard to the relief to be given in the matter of rich and poor debtors. That principle, as has been very beautifully expounded by Mr. Kainikkara Padmanabha Pillai, has not been found acceptable. If there is a person who is capable of paying off all his debts, why should the Legislature stand between him and the creditor. If both the debtor and the creditor stand on the same footing why should the Legislature say that one is a creditor and the other a debtor? For very valid reasons, the provincial Legislature at Madras had made its distinction between the rich and the poor debtor in the definition of agriculturist and exclusions of persons, as persons paying income-tax or profession tax or as owning house in towns etc. Then, Sir, it is true that the relief measures in Cochin and Madras are intended to afford relief only to small agricultural debtors and the term "Agriculturist" is not defined comprehensively or is not subject to the possibility of its being applied loosely. The intention of the Legislature there is quite clear. They wanted to afford relief measures only to agriculturists poor and not rich. It may be difficult to find out the difference or draw a line between persons who are really poor agriculturists and who are not. Very often a person here comes off both as an agriculturist and as a tradesman so that the difficulty is very great. It is rather difficult to provide for the distinction between rich and poor and as such let us not attempt the impossible. When we do that, the object of giving relief to the needy and poor debtors, may not be served properly. If this end is to be achieved, a limitation of the amount of the debt so as to deserve relief has got to be made. We always associate only a small amount of debt with the ordinary agriculturist and a big amount is not generally associated with him except when he embarks on speculation. In fact a big debt is known to be contracted generally by speculators pure and simple. I ask the House whether they will not be justified in making a distinction between the poor class of agriculturists and the speculators. Because it is difficult to define comprehensively the word 'agriculturist' some indirect attempt may be made to provide for the agriculturists and I suggest the limitation of the amount of debt may be provided. It may be borne in mind that the agriculturists do not receive big amounts by way of loans—

MR. KOCHIKAL P. BALAKRISHNAN TAMPI: Sir, it is now 4-30 and I am informally suggesting that the House may now rise for the day.

PRESIDENT: The question has been brought to my attention, namely that the upper House rises generally at 4-30 and the other House at 5. I therefore propose to rise at 4-45. (*Laughter*).

MR. M. SIVATHANU PILLAI: If that amount is limited the difficulty will be less. Because then it will be possible to afford relief to the real agriculturists. It is possible also to know whether the debtor is a real agriculturist and contracted debt for agricultural purposes or one who is mad after cross-word puzzles incurring debts beyond his capacity to repay.

Sir, I have found, in my part of the country that many classes of persons, agriculturists and non-agriculturists, traders and lawyers are indulging in crossword puzzles. They raise loans of Rs. 300 or Rs. 400 and always get themselves engrossed in solving puzzles found in the Illustrated Weekly and the Sunday Standard. I may definitely inform the honourable members that such persons have lost huge sums in that venture. Their losses may even go to a thousand rupees. I ask in all seriousness, why should such persons be given any relief at all? So what I would say is this. If their debt comes within a few thousands, let them by all means be given relief; but if the figure be over Rs. 5,000, they should not be given any relief. Such persons come under the category of speculators. Why should relief be given to speculators? If the persons are really in need of help, they must be helped indeed. If there are honest debtors who have incurred losses in honest investments, by all means, the Government should hasten to their assistance. So what I want to urge in summing up is, firstly, Government should not commit themselves in financing rich debtors. The element of compulsion has to be judiciously exercised. Then the rate of interest adopted should not be lower than that obtaining in the neighbouring places such as Cochin and Madras. Then the pre-depression and post-depression periods should be properly gauged and necessary safe-guards may be taken in the shape of legislation.

MR. S. KRISHNA AIYAR (*Member, Sri Mulam Assembly*): Sir, in order to enable me to discuss the question relating to the introduction of debt relief legislation by Government, I find I have to go a little beyond the five points referred to us. My view is that, in the matter of intervention Government might do it by administrative methods and not by legislation. For the justification of an enactment concerning debt relief, one has to consider the basis of the report itself. From the report we find that the proposal is an emergency measure. In one of the pages of the report we find reference to it as an extraordinary emergency measure. To necessitate or justify an extraordinary measure, there must be extraordinary reasons. We have to see whether any such necessity has been made out in the Committee's report. The one reason put forward is the post-war slump in prices and the distress of the agriculturists. In illustration of the slump, one or two tables are given in the report.

Let me, in the first place, submit that the slump is not an extraordinary phenomenon; it is only an ordinary part of every-day life. There will be booms and there will be slumps. Economists might tell us that, there is such a thing as the trade cycle' which occurs about once in seven to ten years. There will be booms and the booms will be followed by slumps. So, whenever there is a slump, there may not be any justification to resort to extraordinary legislation. In the report it is sought to make out that the slump has been a very steep one and therefore there is necessity for extraordinary legislation. If that is the line of argument we have to consider the prices obtaining during the

latter period of the last Great War *i. e.*, between the years 1917 and 1930. Prices had advanced to giddy heights. Pepper soared to Rs. 640 per candy; paddy had risen to Rs. $1\frac{1}{2}$ per para, copra and other articles too rose to considerable heights. When there was such an extraordinary boom condition, did anybody think of raising the rate of interest ?

Debts may have been contracted during the boom period. Interest not having been paid, may have accumulated. The slump that followed might have been heavy. When we consider this aspect of things and look back we might see whether there have not been quite a number of booms and slumps. Whenever there is a slump, are we to think of extraordinary lagislation and whenever there is a boom, leave matters to themselves? It passes one's comprehension why in case of a slump we should resort to extraordinary measures.

Passing from that fact, namely that no necessity or justification has been made out for an extraordinary piece of legislation, let us see how legislation is likely to affect the State. The subject of credit has been discussed at great length by many a speaker and I need not therefore go into it at length. I have only to suggest that agriculture like any other industry cannot get on without credit. The agriculturist wants short-term credit between the raising of the crops and their sale. He wants medium credit to enable him to sow and reap his harvest. He may also want long-term credit for the purpose of development. In fact agriculture stands more in need of credit than other industries. Under the circumstances, if this piece of legislation is likely to affect the credit of the State, certainly such a piece of legislation cannot be justified.

It may be seen from the Report of the Committee that they admit that credit has already been affected by the Act of 1112 and that credit is likely to be affected further by this piece of legislation as well. But they are laying the unction to their souls by saying that even though the capitalist for some time to come may not think of lending out his money, later on, finding that he is not getting any return for the money, (which they suppose he has put into a steel chest), little by little he may begin to lend out his money to the agriculturist. This seems to be an absurd assumption. A capitalist need not invest his moneys in loans to agriculturists. I can point to a dozen ways in which the capitalist can make more money than by lending out to agriculturists in Travancore. If such legislation is likely to affect credit, it should not be permitted in the larger interests of the State. It may be that there are a few individuals who may be benefited, but the State as a whole stands to lose. Even as it is, there is considerable pressure upon the land. Population is increasing. The rate of increase in Travancore is about 17 to 27 per cent per decade.

It is a well-known fact that the agriculturist cannot support himself on agriculture alone; he must have some auxiliary occupation. There are the small industries, the medium industries and possibly the heavy industries. If we do not have any of these industries, the future

of Travancore will be a future of starvation. If we want Travancore to develop, to increase in wealth, certainly, the proposed piece of legislation would be suicidal. On these grounds, I would condemn the method sought to be adopted to afford relief to the agriculturist.

As to the question of the need for relief for the agriculturist I do concede that relief may and must be given to the agriculturist; but the question is what is the relief and how is it to be given.

In this connection we have to consider the question as to who is the agriculturist. The matter has been debated here. In the first place, there is agricultural labour. In the second place there is the employer of agricultural labour; and such employer of agricultural labour may be divided into (1) the owner of land who farms his own land and (2) the middleman who takes leases of lands and employs agricultural labour to raise crops. And then, thirdly, there are the dependents on agriculture and agricultural labour. It has been suggested that one cannot differentiate between the agriculturist who has a small trade like copra-making or some other auxiliary profession or occupation, and the agriculturist who depends solely on agriculture. It has also been stated that the agriculturist may some times be a creditor and at other times a debtor. It is extremely difficult therefore to delimit and to find out who is the actual agriculturist.

Coming to the question as to who among these is really entitled to relief, so far as agricultural labour goes, they are not debtors; because they take only small advances which are realised from them during the agricultural seasons. The person who is really indebted is the middleman who takes leases of others' lands and employs labour to raise crops; the owner who farms his own land is seldom a debtor. Assuming that these middlemen are agriculturists and need relief, what is the sort of relief that they are entitled to? Certainly there is depression in agriculture. The question is what are the causes of the depression? Indebtedness is only one phase of the depression. Every agriculturist will admit that he is not now able to raise the same good crop that he used to raise some years back. He attributes that to the failure of the seasons and the difficulty in getting manure and also to increases in wages, so that for agricultural depression, there are more reasons than one. Therefore, the question arises, why should this House attach so much importance to indebtedness which is after all only one phase of, one of the difficult phenomena which constitute, agricultural depression. Government cannot legislate to increase the prices of agricultural products. Government can improve the methods of marketing; they can also perhaps standardise crops; but, no State or Government can by legislation raise the prices of produce.

Therefore, Sir, the best way to give relief to the agriculturist is to afford him relief in all these different forms, different directions, and not merely by tinkering with agricultural indebtedness. Sir, the agriculturist has been indebted for generations together. I can push my memory back 50 years when the price of paddy was somewhere about

8 chs. per *para* and the price of cocoanut about Rs. 15 or 20 per thousand. What was the position of the agriculturist then? What was the prevailing rate of interest in those days? The agriculturist was indebted even then and the rate of interest was, if anything, definitely higher.

The Conference adjourned at 4-45 P. M.

Tuesday the 22nd Kumbhom 1115/5th March 1940.

The Conference reassembled at 11 A. M. with the Dewan in the Chair.

PRESIDENT: Order, order. A certain number of honourable members of the Legislature have seen me and expressed the wish that if possible the proceedings should be terminated today. I have told the assembled members of the two honourable Houses that I am perfectly prepared to sit today and on Thursday if necessary. I should like to know the opinion of the House in order that I might regulate the number and the duration of the speeches I should therefore like to know whether on the whole, opinion is in favour of continuing discussion today and going on to Thursday or if possible for terminating it today.

MR. THOMAS CHANDY MUKKADAN (*Member, Sri Chitra State Council*): സർ, ഈ റിപ്പോർട്ടിനെപ്പററി ശരിയായ വാദപ്രതിവാദം ചെയ്യാതിരിക്കുകയാണെങ്കിൽ ജനസാമാന്യത്തിൻെറ ഇടയിൽ അതൃപ്തിക്ക് കാരണമായിത്തീരുമെന്നുള്ളതിനാൽ ജനപ്രതിനിധികൾക്കു പറയാനുള്ളതെല്ലാം വേണ്ടവിധത്തിൽ പറയുന്നതിനു ഒരു ദിവസംകൂടി അനുവദിച്ചുകൊടുക്കണമെന്നാണ് എൻെറ അപേക്ഷ.

MR. S. KRISHNA AIYAR (*Member, Sri Mulam Assembly*): I would also suggest that as much time as possible may be given to satisfy the members.

PRESIDENT: I take it that the general desire of the House is that we should continue discussion, if necessary, on Thursday.

HONOURABLE MEMBERS Yes.

PRESIDENT: The House will then go on with the discussion today and if it is not terminated by the end of today we shall continue the discussion on Thursday.

MR. S. KRISHNA AIYAR: Sir, yesterday I stopped with observing that as the proposed measure was an extraordinary or emergency measure it has to be made out that such a measure is necessary or justifiable. I then submitted that it has not been made out that the measure was either necessary or justifiable. In the course of my speech I referred to the statistical tables referred to in the report. On a further reference to the tables I find that the table of prices stops with the prices of certain articles in the last year of the boom. The statistical tables start with 1104 when pepper was at Rs. 500 per candy, copra at Rs. 95 per candy and Kuttanad paddy at 21 chs. per para. A glance

at the tables would show that even accepting the starting point, the downward tendency is not quite so marked as it is supposed to be. For example, taking the case of Kuttanad paddy, we find that starting with the price of 21 chs. it descends straight until in 1114 it stands at 14 chs. In the matter of the prices of other articles also it may be seen that they are subject to fluctuations and that sometimes the prices go down and sometimes they go up.

The main point that I want to impress upon this assembly is that no pre-war figures are before us and that the committee have not gone upon pre-war figures and therefore have not got sufficient data from which they could state definitely that a measure like the proposed one is justifiable or necessary.

I then suggested that the boom days during the later stages of the war started in 1917 and continued up to 1928 or 29. I also stated that in those boom days, articles like pepper were at their zenith, pepper going up to Rs. 640. For a period then of over a dozen years when the agriculturists of the State were getting very high profits, there was no cry from anybody. The creditor did not want to raise the interest. Neither had the debtor anything to complain. If later the slump set in and continued long, it is only a case of one neutralising the other so that between the long period of boom and the long period of the slump there is not much to take note of.

I also suggested that this is only a matter of periodical booms and slumps, what economists refer to as the trade cycle or the economic cycle. Leaving it at that, we now find that prices have begun to ascend. So, what would be the present position if during the period of slump there is to be legislation? Here is a period of rise after the slump and what are we to do with conditions at present? It is for this and similar reasons that I submitted yesterday that there is nothing to justify legislation of the kind proposed.

I next went on to consider the effects of the proposed legislation upon credit. I discussed the subject at length and then I was about to submit that the problem was an economic problem or that the malady of the agriculturist was an economic malady and that it cannot be cured in any way by legislative tinkering. In all civilised countries the cure for a slump has been recognised as lying in expansion of credit and not in contraction of credit. In America, for example, which, being the wealthiest country in the world, was struck the hardest during the period of depression, the depression went to such an extent that 800 banks suspended payment during the course of one week. What did America do then? They did not try to contract credit in any way. On the other hand credit was expanded to the fullest possible extent. An institution which they called the Reconstruction Finance Corporation was created and the well known Jesse Hillman—said to be the largest money lender in the world in any period in the world's history—was put in charge of that corporation and the Federal Government lent as much as 10 billion dollars of Government money from 1933 to 1939. It may be interesting to my friend Mr. Sivathanu

Pillai to know that 77 per cent. had to be paid back before 1937 and that it is expected that the balance also will be forthcoming on the allotted days. It can thus be seen that in the richest country in the world and possibly in other countries as well, the problem of slumps has been tackled by expansion of credit. The attempt here on the other hand is to tackle the problem by contraction of credit. It is suggested in the report of the committee that a contraction, if any, would only be for a small time. It is suggested that the capitalists in Travancore are hoarders of money, that though they may hoard their money for some time, finding that it is not profitable to hoard money they will bring the money again and begin to give agricultural loans and thereby entangle themselves afresh. That is rather a poor compliment to the capitalists of Travancore if there are any. In these days we cannot think of any capitalist hoarding his money or keeping it uselessly. He could find plenty of means of investment and it is more than unlikely that any capitalist would think of once again starting on doubtful ventures and put himself at the mercy of agitation. That was one of the main reasons which actuated the committee to suggest the necessity for legislation. In the course of the discussion on credit we have to keep in mind that internal credit in the State has been considerably affected even by the Act of 1112. Agriculture was finding credit in only three or four ways. For long-term credit, agriculture was dependent on chitties and hypothecation bonds. For short-term credit agriculture was dependent upon neighbourly loans. There are no classes of professional money lenders or usurers in Travancore. The corporate banks in the State have only been lending money to agriculturists on a very small scale and, if at all, only for the purpose or during the times when they have to sell the crops that they harvested. Now let us see the present position. Chitties have gone out of existence. Neighbourly loans have now ceased to be and as regards hypothecation bonds a resort to the registers in the Registrar's office will show that they are only in renewal of old debts and not for any new advances. Internal credit has thus been very considerably affected. Some of the honourable members in this assembly referred to external credit and the need for conserving the reputation of the State with a view to secure as much external credit as possible. If a measure of this kind be passed, I feel certain that it will affect external credit as well. Already external credit has been affected by the banking crisis through which we passed during the past one or two years, the collapse or suspension of almost all the corporate banks in the State and the further fact that quite a number of rubber companies have been floated and money from outside has been drawn in. Our credit having thus been affected outside, is it not likely that, if we venture upon an emergency legislation of the kind proposed, our credit outside the State would be affected more? If the State wants internal credit as well as external credit it cannot be achieved by legislation of the kind proposed. It is therefore that I am suggesting that legislation on the lines recommended would be suicidal to the interest of the agriculturists and of banking in the State.

I want, in this connection, to make the only suggestion that the problem is an economic one and that there should be expert advice before launching upon measures of this kind. I do not in the least suggest anything against the members of the Committee. I have the greatest possible esteem for the members, but, nevertheless, I cannot say that they have given expert advice. I do not belittle the presence of Mr. Karunakaran, an economist himself. I would place him on a plane with Professor Keynes, who is supposed to think one year a head of his fellows. I therefore suggest again that no venture should be made without taking expert advice from people like Mr. Keynes. Although he himself may not be available, there are expert economists like Professor Shah of Bombay.

The next point that suggests itself to me is that on the same materials the legislature in 1110, 1111 and 1112 recommended a measure and it was thought then that that measure was sufficient. We have to consider we have any further materials at present. Has there been a further change in the situation to necessitate the launching of any new piece of legislation? We see from the Committee's Report that no fresh materials or fresh records or evidence was before them. No doubt, in a matter of this kind there is nothing like *res judicata*. But there must be a limit and the test is whether we have reached the limit as to necessitate legislation.

I proceed next to the subject of scaling down all debts in different ways, that has been recommended by the Committee. I can understand scaling down by the process of conciliation, but when we step out of conciliation and introduce compulsion or coercion, I certainly cannot find any difference between that and expropriation. When a similar measure was before the then legislature, I mean Act III of 1112, and a proposition was raised which bordered on expropriation, the then Legal Rembembrancer came down and said that it is expropriation pure and simple, unalloyed and unadulterated. Have the circumstances in our country changed so much as to compel us to think of such a measure? No civilised Government would think of expropriation without compensation. It is therefore that on earlier occasions we thought of conciliation only and not of expropriation or scaling down by compulsion. I note that one or two of my honourable friends were hard put to it to find out a precedent and had to travel as far back as 2000 years in getting one. We do not know the conditions of the world in its moral or legal position in those days. But, however, research had to go back to such a large number of years to find a parallel or a precedent. We, therefore, can take it that this measure cannot be justified by precedents in recent days by civilised people. They could as well have referred to the expropriation programme in Russia or in America or the present acts of Hitler in Poland or Czechoslovakia. But, whatever that may be, one cannot justify expropriation without compensation.

MR. KOCHIKAL P. BALAKRISHNAN TAMPI (*Member, Sri Chitra State Council*): Sir, I want—

PRESIDENT: Order, order. The honourable member does not yield his place.

MR. S. KRISHNA AIYAR: Because it is a matter of reminding and not a matter of question.

MR. KOCHIKAL P. BALAKRISHNAN TAMPI: May I ask the honourable member whether the temporary social legislation as contemplated now is not the best way of avoiding the grim expropriation of Russia?

MR. S. KRISHNA AIYAR: It seems to be granted that there has been grim expropriation in Russia and the question assumes that probably Travancore might proceed to similar lengths if the agitation is allowed to be continued.

PRESIDENT: The sources of information regarding Russia are confused or conflicting. Therefore, I don't think it necessary to go into that.

MR. S. KRISHNA AIYAR: The reference as to what can be achieved by agitation is the possibility that has been headed on by the other side. Let me here cite the example of the case of the late State Congress and the agitation and what it has achieved. It is possible for agitation to achieve a lot. But, we— —

PRESIDENT: Order, order, I don't think we need go into politics.

MR. S. KRISHNA AIYAR: I beg pardon of this House and obey the ruling of the Chair.

In Travancore, you had laws against compound interest, against accumulation of interest operating from a hundred years ago and people acting upon that had secured, what I would call, vested interests. Such vested interests can be divested with mutual consent and therefore the element of conciliation. If such vested interests are divested in favour of the debtors— and there are a large number of debtors—it will be no different from re-arrangement or re-distribution of the wealth of the land. And redistribution of the wealth of the land would only be the beginning of communism. I remember on another occasion a proposal was brought forward as to the necessity of redistributing land in the State; at least such of it as has not been under the plough. This is only the beginning. You begin with wealth in favour of the debtor. It may go on with the distribution of land so that if that one precedent is started and admitted, there is no possibility of a limit to the redistribution of the wealth of the land and this will naturally lead to the anihilation of all private property.

It was in this connection that I wanted to suggest what the State could do. My position is that legislation will not be justifiable. But the agriculturist can be helped to pay his debts by administrative measures. One of the administrative measures that has been suggested is the granting of loans or guaranteed bonds to the agricultural debtors, not all of them, but the deserving of them to enable them to pay their debts. It is not, as was said by one of our fellow members, payment through the creditor. One of the ways in which we could help the debtor is to enable him to pay his debts. There are many ways of rehabilitating the position of the agriculturists. Economically, he is

very poor and his position is one that requires help and indebtedness is only one factor that affects his life. It was in this connection that I wanted to suggest that one crore of Rupees may be placed at the disposal of the agriculturists by the Government. This might be utilised by way of compensation, not for expropriation purposes, but for conciliation. It is well known to almost every body that the capitalist or the creditor would be prepared to write off or reduce his claims to a very great extent if cash or guarantee bonds are offered. The debts of the agriculturists are supposed to be between ten to twenty-five crores, but, I doubt whether you would be able to reach that figure now. No doubt, I was a member of the much abused Banking Enquiry Committee and Depression Enquiry Committee. But, the debt of Rs. 25 crores then mentioned must have now been liquidated. I shall take the example of Mr. Joseph one of the wealthiest men in Travancore and I am sure Mr. Joseph will bear witness when I say that he himself put the position of indebtedness at Kanjirapally at over Rs. 50 lakhs. Those were the boom days of rubber, when Europeans were prepared to advance money to any extent. Rubber was selling at such a fabulous price that fortunes were made and rubber princes ruled the land. Well, whatever that may be, the indebtedness at Kanjirapally was put at Rs. 50 lakhs and Mr. Joseph will be able to assure the Assembly that at present the indebtedness at Kanjirapally may be less than Rs. 5 or 10 lakhs. If we consider the fact that in other places of Travancore similar liquidation has taken place, there would now be no such bugbear as the surmise of the Banking Enquiry Committee that the debt would come to about Rs. 25 crores. I wish to suggest that instead of scaling down by compulsory laws the creditor and debtor may be left to themselves, the Administration merely saying that if the creditor is prepared to give up the whole of his interest, a long term bond will be given him.

If he gives up 20 per cent of his capital, a short term bond or cash would be paid. The only thing is it must be made payable to the creditor and he must find it worthwhile to accept it so that without any compulsory scaling down the accounts could be closed.

MR. KOCHIKAL P. BALAKRISHNAN TAMPI: May I point out in an informal way the time limit allowed?

PRESIDENT: No specific time-limit has been prescribed. I trust that honourable members would bear in mind some such definite limit.

MR. S. KRISHNA AIYAR: I shall not trespass on the time of the other honourable members. But, in view of the importance of the matter the discussion may even be extended by one or two days more.

In respect of that one point put by the Chair I would once again suggest that administrative methods may be tried making it worthwhile for the creditor to take a guaranteed bond or cash. This leads me again to the subject of the difficulties attendent upon giving relief to the deserving and the undeserving debtors. It is not that I admit

in any way that relief must be administered by legislative enactment. But if it is supposed that legislative methods should step in and administrative measures are not necessary, we may have to grapple with several difficulties as Mr. Kainikara M. Padmanabha Pillai pointed out. There are difficulties to find out who are the deserving and the undeserving debtors. He referred to one instance of a father worth about Rs. 30,000 and the same to be distributed among 6 sons, wherein each would get about Rs. 5,000. In such a family, if there are debts, division of the property could be made with the consent of the creditors. I do not see any object in relief being granted to such a family. One might say that among debtors, there may be 100 guilty people who will escape and one innocent man who may be convicted. But that should not be taken as the standard.

However, he has pointed out a great difficulty and I recognise it, namely, to draw a line between the deserving and the undeserving. That, however, should put us to think whether in a case of this kind a legislative measure would be justifiable. If we cannot distinguish between the deserving and the undeserving and if we want to administer indiscriminate charity, certainly, it will not be worth a legislative enactment for that purpose. Then there are the further difficulties. Who is an agriculturist? What is meant by 'agricultural debt'? I discussed this yesterday.

MR. KAINIKARA M. PADMANABHA PILLAI (*Member Sri Mulam Assembly*) : May I know whether the member's suggestion therefore is that because there is no method of ascertaining the deserving and the undeserving, the remedy is not to have legislation?

MR. S. KRISHNA AIYAR : Not on that one ground alone. I have adduced more than one ground to show that there is no necessity or justification for an emergency legislation of the proposed kind. This was only one of the arguments from admitted facts. There are many other difficulties as well. Who is an agriculturist? This has been referred to by me even yesterday. What is an agricultural debt? An agricultural debtor does not become a debtor purely for agricultural purposes. At present we can realise that a majority of the debts of the agriculturists has been utilised not for agricultural purposes. The debt might have been for a marriage dowry; it may be for the education of the sons so that they may be unfitted for agricultural purposes. It may again be for litigation, for diverse other purposes. But one thing is prominent and it is that improvidence is at the root of the heavy agricultural indebtedness. The question then is whether there should be a penalty at thrift which is represented by the creditors and a sort of help towards improvidence. So, there is the question who is an agriculturist and who is a non-agriculturist? What is an agricultural debt? Are all debts agricultural debts? Whether we have to go to the genesis of the debt? There again, the question is how all these debts came to be heaped up? It was suggested here that it might be due to the prolongation of the litigation in this State. All these put together would raise the cry that it is difficult to administer a law of the kind proposed now. That is only another argument against passing a legislative measure of this kind.

As regards the further question which the President referred to us, namely, as to whether agricultural debts and trade debts should be considered on the same footing, in my view the agricultural debts must be left undisturbed. The word "agriculturist" has to be better defined. One has to find out what it is exactly. So far as trade debts are concerned, they must be held *sacro-sanct*. Trade depends on the existence of banks. An individual trader takes money from the bank. He purchases commodities. He distributes them to the dealers who in turn distribute to the subdealers and they to the agriculturists of the land. If one link in the chain is broken, credit is gone. A trader will not get any further credit from the bank. The dealer will not get credit from the trader and the agriculturist will suffer. Therefore, the whole machinery of credit system collapses. A banker is only the depositary of money of the people. He does not hold it as his own. He has no right to it. He is only a trustee. He uses the money for the purpose of the State. He is a necessary public institution and the banker must be protected to the utmost possible limit.

I would conclude by saying that the agitation that has been carried on is not a case of agitation by the landlords against the tenants as some seem to think. It is a got-up agitation for which only a few in the land are responsible. I hope that some who are responsible, at least one who is responsible, would not be too proud to admit his observation, his engineering capacity and his lead in bringing the agitation to the present shape. The agitation is to a certain extent artificially engineered. I hope we shall stop at the last Act of 1112 and not go into any further enactment for the purpose of satisfying the creditor classes or the debtor classes.

MR. K. R. NARAYANAN (*Member, Sri Mulam Assembly*): ഈ രാജ്യത്തു ജനങ്ങൾക്കുള്ള ഋണത്തിനു ഒരു നിവാരണം ഉണ്ടാക്കേണ്ടതു അത്യാവശ്യമാണെന്നു ഗവണ്മെൻറും മനസ്സിലാക്കിക്കഴിഞ്ഞു. അതിലേക്കു ഒരു നിയമം ഉണ്ടാക്കണമെന്നും ഗവണ്മെൻറിനു തോന്നി. ഇങ്ങനെ കടനിവാരണം ചെയ്യേണ്ടതു അത്യാവശ്യമാണെന്നും അതിലേക്കു നിയമം അത്യാവശ്യമാണെന്നും സമ്മതിക്കുന്ന ഗവണ്മെൻറിൻെറ മുൻപാകെ കടനിവാരണത്തെക്കുറിച്ച് വലിയ പ്രസംഗങ്ങളൊന്നും ചെയ്യേണ്ട ആവശ്യമുണ്ടെന്നു തോന്നുന്നില്ല. കടനിവാരണം ചെയ്യേണ്ടതു അത്യാവശ്യമാണെന്നു ലോകം ഉണ്ടായകാലം മുതൽ മുറവിളി കൂട്ടിക്കൊണ്ടിരിക്കുന്നതിനു പ്രതികൂലമായി പല്ലവി പാടിക്കൊണ്ടിരിക്കുന്നവരുടെ അഭിപ്രായങ്ങളെ വിമർശിക്കുന്നതിനൊ അതിനു മറുപടി പറയുന്നതിനൊ ഈ സന്ദർഭത്തിൽ യാതൊരു ആവശ്യവും കാണുന്നില്ല. ദിവാൻ പ്രസിഡൻറു അവർകളുടെ ഇന്നലത്തെ പ്രസ്താവനയിൽ കടനിവാരണം അപരിത്യാജ്യമാണെന്നു സംശയരഹിതമായിത്തന്നെ പ്രസ്താവിക്കയുണ്ടായി. അങ്ങിനെ സംശ

യരഹിതമായി പറയുന്ന ഒരു ഭരണമേധാവിയുടെ അടുത്തു ഇനിയും അതിൻെറ ആവശ്യത്തെക്കുറിച്ചു പ്രസംഗിക്കേണ്ട ആവശ്യമില്ലതന്നെ. ഇന്ന് നമ്മെ അഭിമുഖീകരിച്ചിരിക്കുന്ന പ്രശ്നം ഏതാണ്? എൻെറ മാന്യ സ്നേഹിതന്മാരുടെ ഇന്നലത്തെ പ്രസംഗം ശ്രദ്ധിച്ചതിൽ അവരിൽ പലരും ബില്ലിൻെറ ചില ഉൾപ്പിരിവുകളെപ്പററി പ്രസ്താവിച്ചതായി കേട്ടു. കടനിവാരണതത്വത്തിൽ അഭിപ്രായവ്യത്യാസമില്ലെങ്കിൽ അതിൻെറ ഉൾപ്പിരിവുകളേയും ഉപവിഷയങ്ങളേയും പററി ചർച്ച് ചെയ്യേണ്ട ആവശ്യമില്ല. കടനിവാരണം ചെയ്യേണ്ടതു അത്യാവശ്യമാണെങ്കിൽ അതു എങ്ങിനെയുള്ള കടക്കാർക്കാണ് ആവശ്യമായിട്ടുള്ളതു്, എന്നാണ ഒരു സംശയം ഉണ്ടാകാവുന്നതു്. കടക്കാരെ ചെറുകടക്കാർ എന്നും വൻകടക്കാർ എന്നും രണ്ടായി തിരിച്ച് ഇവിടെ പ്രസ്താവിക്കയുണ്ടായി. കടനിവാരണം ചെയ്യുന്നതിനു നിർദ്ദേശിക്കുന്ന പദ്ധതികൾകൊണ്ടുള്ള ഗുണം എല്ലാവർക്കും മൊത്തത്തിൽ ഉപയോഗപ്പെടുത്തത്തക്കവിധത്തിൽ ആയിരിക്കണമൊ എന്നുള്ളതിനെപ്പററിയുള്ള പൊതുജനാഭിപ്രായം അറിയണമെന്നുള്ളതാണ് ദിവാൻ പ്രസിഡൻറ് അവർകളുടെ പ്രസ്താവനയിൽ പ്രധാനമായിട്ടുള്ളതു്. ഇതു നിസ്സാരമായ ഒരു കാര്യമല്ല. വളരെ ഗൗരവത്തോടും അതു അർഹിക്കുന്ന ശക്തിയോടും പ്രാധാന്യത്തോടുംകൂടി ചർച്ച്ചെയ്യേണ്ട ഒരു സംഗതിയാണ്. ഇവിടെ വന്നുചേരുന്ന ഏററവും വിഷമമേറിയ ഒരു കാര്യം ധനവാനെന്നും ദരിദ്രനെന്നും ഒരാളിനെ തരംതിരിക്കുന്ന സംഗതിയാണ്. ൫൦൦ രൂപ കരംകൊടുക്കുന്ന ഒരാളിനെ ധനവാൻ എന്നു പറയാൻപ്രയാസമാണ്. ൫൦൦ ഏക്കർ ചേരിക്കൽഭൂമിയുള്ള ഒരാളിന് അതിൽനിന്നും ഉള്ള വരവ് ൫൦൦ രൂപയും ആ ഭൂമിക്ക് കൊടുക്കേണ്ട കരം ൫൫൦ രൂപയും ആയിരിക്കും. അതുകൊണ്ടു ഒരാൾ കൊടുക്കുന്ന കരത്തെ മാനദണ്ഡമാക്കി അയാൾ ധനവാനാണൊ ദരിദ്രനാണൊ എന്നു നിശ്ചയിക്കാൻ നിവൃത്തിയില്ല. മറെറാരു പ്രധാന സംഗതി, കടനിവാരണംചെയ്യേണ്ടതു അത്യാവശ്യമാണെങ്കിൽ എല്ലാ കടക്കാരേയും സഹായിക്കേണ്ടതു അത്യാവശ്യമാണൊ, വൻപിച്ച കടക്കാരെ അതിൽനിന്നും ഒഴിവാക്കേണ്ടതൊ എന്നാണ്. വൈദ്യനെക്കൊണ്ട് രോഗം ചികിത്സിപ്പിക്കണമെന്നു നിശ്ചയിച്ചു. അങ്ങിനെ നിശ്ചയിച്ചിട്ടു ൫൦൦ ഡിഗ്രി പനിയുള്ളവരെ മാത്രം ചികിത്സിച്ചാൽ മതി. ൫൦൧ ഡിഗ്രിപനിയുള്ളവരെ ചികിത്സിക്കേണ്ട ആവശ്യമില്ലാ എന്നു നിശ്ചയിക്കുന്നതു ശരിയാണൊ? കടനിവാരണം ചെയ്യേണ്ടതും അതിലേക്കു ഒരു ബിൽ ഉണ്ടാക്കേണ്ടതും അത്യാവശ്യമാണെന്നു ഗവൺമെൻറും ജനപ്രതിനിധികളും സമ്മതിക്കുന്നപക്ഷം യാ

യാതൊരു വ്യത്യാസവുംകൂടാതെ, യാതൊരു വേർതിരിക്കലും കൂടാതെ, എല്ലാവക്കും ബില്ലിൻെറ ഗുണം സിദ്ധിക്കത്തക്കവണ്ണം എല്ലാവരേയും ഉൾപ്പെടുത്തേണ്ടതു ഗവണ്മെൻറിൻെറ ചുമതലയും ജനങ്ങളുടെ ധമ്മവും രാജ്യത്തോടു ചെയ്യാനുള്ള കടമയും മാത്രമാണ്. അതുകൊണ്ടു യാതൊരുവിധമായ വേർതിരിപ്പിൻെറയും ആവശ്യമില്ല. ഈ റിപ്പോർട്ടിൽത്തന്നെ അപ്രായോഗികമായ പല സംഗതികളും കാണുന്നുണ്ട്. ൫൦൦൦ രൂപയുടെ കടക്കാരനെ ഒരു വൻപിച്ച കടക്കാരനാക്കുന്നു എന്നുതന്നെ വിചാരിക്കുക. ഈ തരത്തിലുള്ള കടക്കാക്കു ബില്ലുനിമിത്തം അപകടമാണുണ്ടാകുന്നതെന്നു കാണുന്നുവെങ്കിൽ ൫൦൦൦ രൂപയുടെ കടത്തെ ചെറിയ തുകകളാക്കി കുറയ്ക്കുന്നതിനു രജിസ്റ്റർകച്ചേരിവരെ പോയാൽ മതിയാകും. അതു സത്യസന്ധതക്കാവൊ മര്യാദലംഘനമൊ ആയി ആരും ഗണിക്കയുമില്ല. എന്നു വൻകടത്തേയും ബില്ലിൻെറ ഗുണം അനുഭവിക്കത്തക്കവിധത്തിൽ ചെറുതാക്കിക്കൊണ്ടുവരുന്നതിനുള്ള സൗകര്യവും ഇതിൽ കാണുന്നുണ്ട്. അതുകൊണ്ട് വൻകടക്കാരെ ഇതിൽ ഉൾപ്പെടുത്താൻ പാടില്ല എന്നു പറയുന്നതു ശരിയല്ല. ഈ വൻകടക്കാർ എന്നു പറയുന്നവർ എത്രപേരുണ്ട്? ഇവിടെയുള്ള ൯൫ ശതമാനംപേരും ചെറുകടക്കാരാണ്. അഞ്ച് ശതമാനംപേർ മാത്രമാണ് വൻകടക്കാരായിട്ടുള്ളതു്. ഈ ൯൫ ശതമാനംപേക്കും ലഭിക്കുന്ന ഗുണം ൫ ശതമാനംപേക്കുകൂടി ലഭിച്ചുകൊള്ളട്ടെ, എന്നു വിചാരിക്കുന്നതുകൊണ്ടു യാതൊരു തരക്കേടും വരാനില്ല. ഇവിടെ ഒരു സംശയത്തിനു ഇടകാണുന്നുണ്ട്. എല്ലാ കടക്കാരേയും ഇതിൽ ഉൾപ്പെടുത്തിയാൽ ഗവണ്മെൻറിൽ നിന്നും പണം കടം കൊടുക്കാൻ സാദ്ധ്യമാണോ എന്നാണ്. ഇതു വളരെ ആലോചിക്കേണ്ട ഒരു കാര്യമാണ്. കടനിവാരണം ആവശ്യപ്പെടുന്നവക്കെല്ലാം ഗവണ്മെൻറു സഹായിച്ചുകൊള്ളാമെന്നു യാതൊരു കാരാറുമില്ല. അങ്ങിനെയുള്ള ഒരു ആലോചനയുമില്ല. കഴിയുന്നവിധത്തിൽ ഗവണ്മെൻറിനെ സമീപിച്ച് ഗവണ്മെൻറിനെക്കൊണ്ടു കടം കൊടുപ്പിക്കുന്നതിനു സഹായം ആവശ്യപ്പെടാം. ക്രെഡിററു ബാങ്ക് മുഖേനയൊ മറെറന്തെങ്കിലും വിധത്തിലുള്ള വായ്പകളെക്കൊണ്ടോ കടനിവാരണം ഉണ്ടാക്കണമെന്നു അപേക്ഷിക്കാം. അതിലെല്ലാ കടക്കാരെയും അഭിമുഖീകരിക്കാൻ സാധിക്കുമൊ എന്നു സംശയമാണ്. എന്നാൽ എല്ലാ കടക്കാരേയും ബില്ലിൻെറ പരിധിയിൽ ഉൾപ്പെടുത്തേണ്ടതു അത്യാവശ്യമാണ്.

ഇന്നലെ ഇവിടെ നടന്ന വാദപ്രതിവാദത്തിൽ പരസ്പരസഹായസംഘങ്ങളെ ഇതിൽ ഉൾപ്പെടുത്തണമെന്നു അഭിപ്രായപ്പെടുകയുണ്ടായി

തീർച്ചയായും ഉൾപ്പെടുത്തണം. ഇതിൽ കടമുള്ളവരെന്നും കടമില്ലാത്തവരെന്നും രണ്ടു തരക്കാരുണ്ട്. ൫൦൦ രൂപ വാങ്ങിക്കാനുള്ള സൌകര്യങ്ങൾ ൫൭൦ കടം വാങ്ങിക്കുന്ന പരസ്പരസഹായസംഘത്തിൽ ൫൦ ശതമാനവും ഇല്ലാത്ത കടക്കാരാണുള്ളത്. അപേക്ഷക്കാരൻ രണ്ടു ജാമ്യക്കാരെ നിരത്തി ഒപ്പിട്ടുകൊടുത്താൽ വായ്പ കൊടുക്കും. ഇങ്ങിനെ വളരെ പാവങ്ങൾ പരസ്പരസഹായസംഘങ്ങൾവഴി ഇല്ലാത്ത കടക്കാരായി തീർന്നിട്ടുണ്ട്. അതുകൊണ്ടു് പരസ്പരസഹായസംഘങ്ങളെ ഇതിൽനിന്നും ഒഴിവാക്കാൻ പാടില്ല. ഈ റിപ്പോർട്ടുതന്നെ വളരെ അപൂർണ്ണമാണെന്നു പലരും അവരുടെ അഭിപ്രായങ്ങൾ രേഖപ്പെടുത്തിയിട്ടുണ്ട്. ൬ ശതമാനം പലിശ വച്ചിരിക്കുന്നതു യാതൊരു കാരണവശാലും നീതീകരിക്കത്തക്കതല്ല.

എന്റെ മാന്യ സ്നേഹിതൻ മി: മരയ്ക്കാർ വളരെ ശക്തിയായി ഇവിടെ വാദിച്ചതു കച്ചവടക്കാരെ ഇതിൽ നിന്നും ഒഴിവാക്കണമെന്നാണ്. അടുത്തിരുന്നുകൊണ്ടു ആ അഭിപ്രായത്തെ എതിർക്കേണ്ടി വന്നതിൽ ഞാൻ മനസ്താപിക്കുന്നു. കച്ചവടക്കാർ എന്നൊരു ജാതിയെ തിരിച്ചെടുക്കുന്നതിനു സാദ്ധ്യമല്ല. കർഷകനു ആനുകൂല്യം സിദ്ധിക്കത്തക്ക നിയമം വരികയാണെങ്കിൽ കച്ചവടക്കാരൻ കൃഷിക്കാരനാകും. കച്ചവടക്കാരനു ഗുണംകിട്ടുന്ന നിയമം വരികയാണെങ്കിൽ കൃഷിക്കാരൻ കച്ചവടക്കാരനായി മാറും. കഥകളിയിൽ ദുര്യോധനന്റെ വേഷം കെട്ടുന്നവനും ഭീമന്റെ വേഷംകെട്ടുന്നവനും ഒരാളാണ്. കച്ചവടക്കാരെ ഒഴിവാക്കണമെന്നാണു മി: മക്കാർപിള്ളയും അഭിപ്രായപ്പെട്ടിട്ടുള്ളതു്. ഇവർ രണ്ടുപേരും ഇവിടത്തെ വൻപിച്ച കച്ചവടക്കാരാണ്. ഇവർ നിമിത്തം ഇവിടത്തെ കച്ചവടം വളരെ അഭിവൃദ്ധിപ്പെട്ടിട്ടുണ്ട്. അതിനു അവരോടു കൃതജ്ഞതയുള്ളവരായിരിക്കേണ്ടതാണ്. കച്ചവടക്കാരെ ഇതിൽനിന്നും ഒഴിവാക്കി അസാധാരണവും അപ്രായോഗികവുമായ മാർഗ്ഗത്തിലേക്കു പോകാതെ കച്ചവടക്കാരും കൃഷിക്കാരും ഒന്ന് എന്നുള്ള നിലയിൽ കൊണ്ടുപോകേണ്ടതാണ്. ഇന്നലെ ഇവിടെ നടന്ന വാദപ്രതിവാദത്തിൽ ഒരു സംഗതിയെപ്പററി ആവർത്തിച്ചാവർത്തിച്ച് പറഞ്ഞുകേട്ടു. ഇങ്ങനെ ഒരു നിയമം ഉണ്ടാക്കുകയാണെങ്കിൽ ഈ രാജ്യത്തുനിന്നും ക്രെഡിററു നശിച്ചുപോകുമെന്നുള്ളതാണ്. കടംവാങ്ങിച്ചു പോയി, അതു തിരിച്ചു കൊടുക്കാൻ ഇൻസ്റ്റാൾമെന്റു അനുവദിച്ചു തരണം, കുറെ കാലതാമസം വേണം, എന്നു മാത്രമെ പറയുന്നുള്ളു. കൈവശം വച്ചുകൊണ്ടു കൊടുക്കാതിരിക്കുകയല്ല ചെയ്യുന്നതു, ൧൨ രാ

ദിവാസ്വപ്നങ്ങൾക്കായി പ്രവർത്തിക്കുന്നതിനു കടം വാങ്ങിച്ചുപോയി. അങ്ങിനെ വാങ്ങിച്ച കടം തിരിച്ചു കൊടുക്കണം. സത്യസന്ധതയേയും ധർമ്മനിഷ്ഠയേയും പരിപാലിക്കണമെന്നു കരുതി പ്രാണവായുവിനേയും അടക്കിക്കൊണ്ടു ഞങ്ങൾക്കു വേണ്ട സഹായം ചെയ്യണം; ഇന്നത്തെ പരിതസ്ഥിതി ഞങ്ങൾക്കു അനുകൂലമല്ല; ഇന്നത്തെ വരവു കടം വീട്ടുന്നതിനു പര്യാപ്തമല്ല; അതുകൊണ്ടു പലിശ കുറച്ചു പല ഗഡുക്കളിലായി കൊടുക്കുന്നതിനു സൗകര്യം തരണം; എന്നു പറഞ്ഞാൽ ഇവിടത്തെ ക്രഡിററു നശിച്ചുപോകുമെന്നു പറയുന്നുവെങ്കിൽ സൂര്യന്റെ ചൂടിൽ അലിഞ്ഞു പോകുന്ന മഞ്ഞുകട്ടയാണൊ ഇതു് എന്നാണു ഞാൻ ചോദിക്കുന്നതു്. ഒരു എന്നവനോടു ൧൦൦൦ രൂപ കടംവാങ്ങിച്ചു എന്നു വിചാരിക്കുക. എട്ടു പത്തുകൊല്ലത്തിനു മുൻപു ഒന്നരക്കണ്ടി കുരുമുളകുവിററതാണു് ആ രൂപ. ആ ഒന്നരക്കണ്ടി കുരുമുളകു ഏഴ്യക്കു ഇപ്പോൾ തിരിച്ചുകൊടുത്താൽ മതിയൊ? അതു മതിയെങ്കിൽ ഞങ്ങളുടെ സത്യസന്ധത പരിപാലിക്കുന്നതിനും കരാറു പരിപാലിക്കുന്നതിനും വിഷമം ഒന്നുമില്ല. ക്രെഡിററു എന്നു കേൾക്കുമ്പോൾ തിരുവിതാംകൂറിൽ മാത്രം ഈ വെപ്രാളം കാണിക്കുന്നതു എന്തിനാണു്. പഞ്ചാബിൽ ഇങ്ങനെ ഒരു നിയമം ഉണ്ടാക്കിയപ്പോൾ അവിടത്തെ ക്രെഡിററു നശിച്ചുപോയില്ല. കൊച്ചിയിൽ ഈ നിയമം നടപ്പിലാക്കിയതുകൊണ്ടു അവിടത്തെ ക്രെഡിററും നശിച്ചുപോയില്ല. യു. പി. യിൽ ഏർപ്പെടുത്തിയതുകൊണ്ടു അവിടത്തെ ക്രെഡിററും നശിച്ചുപോയില്ല. പല നാട്ടുരാജ്യങ്ങളിലും ഇങ്ങനെ കാരണം ബിൽ ഉണ്ടാക്കിയിട്ടുണ്ടു. അവിടത്തെ ക്രെഡിററുകൾക്കു യാതൊരു ഭംഗവും വന്നിട്ടില്ല. ആ സ്ഥിതിക്കു തിരുവിതാംകൂറിൽ മാത്രം ക്രെഡിററു് തുലഞ്ഞുപോകുന്നുവെന്നു വിചാരിക്കുന്നുവെങ്കിൽ അതു പോകേണ്ട ക്രെഡിററു തന്നെയാണു്.

കരാറുലംഘനം വരുത്തുന്നു എന്നുള്ളതാണു് മറെറാരുവാദം. അതു എങ്ങനെയാണെന്നു മനസ്സിലാകുന്നില്ല. ഞാൻ നാളെ ൧൧ മണിക്കു വൈക്കത്തു എത്തിക്കൊള്ളാമെന്നു കമ്പിയടിക്കുന്നു എന്നു വിചാരിക്കുക. അതു ഒരു കരാറാണു്. അതനുസരിച്ചു ഞാൻ ഇവിടെ നിന്നും പോകുന്നു. തിരുവല്ലായിൽവച്ചു എന്നെ പാമ്പു കടിച്ചു അപകടമുണ്ടായി എന്നു വിചാരിക്കുക. ആ സ്ഥിതിയിൽ ഉടനെ ഞാൻ ആശുപത്രിയിൽ പോകണോ, അതല്ലാ കരാറുലംഘനം വരുത്താതിരിക്കാൻ വൈക്കത്തു പോകണോ? ഏതാണു ചെയ്യേണ്ടതു്? ഇതു വയററിന്റെ പ്രശ്ന

മാണ്. ഞങ്ങൾ വേലയെടുത്തു ബുദ്ധിമുട്ടിയിട്ടും കടം വീട്ടാൻ ഞങ്ങൾക്കു സാധിക്കുന്നില്ല. പട്ടിണികിടന്നു വലഞ്ഞു ഉടുക്കാൻ തുണിയില്ലാതെ, കുടിക്കാൻ കഞ്ഞിയില്ലാതെ കഷ്ടപ്പെടുന്നു. ഈ അവസരത്തിൽ പറയുന്നതു, നിങ്ങളോടു വാങ്ങിച്ചതു ഞങ്ങൾ തരാം, ഞങ്ങൾക്കു പലിശ കുറച്ചു തരണം. ഇൻസ്റ്റാൾമെൻറായി തിരിച്ചു തരുന്നതിനു സൗകര്യം തരണമെന്നു ആവൎത്തിച്ചാവൎത്തിച്ചു ഞങ്ങളുടെ പ്രാണരക്തത്തെ മുൻപിൽവച്ചുകൊണ്ടു ഹരിശ്ചന്ദ്രന്മാരാകുന്നതിനുവേണ്ടി—ഞങ്ങളുടെ കരാറുകളെ പരിപാലിക്കുന്നതിനുവേണ്ടി—ചോദിക്കുന്നു. യഥാൎത്ഥത്തിൽ ഞങ്ങളെ കരാർ ലംഘനക്കാരാക്കരുതു്. കരാർ ലംഘനക്കാരെന്നു പറഞ്ഞു ഭാവിതലമുറ ഞങ്ങളുടെ മുഖത്തു കരിതേക്കുന്നതിനു ഇടവരുത്തരുതു്. കരാർ പരിപാലിക്കുന്നതിനുവേണ്ടിയാണു ഞങ്ങൾ ഇങ്ങനെ അപേക്ഷിക്കുന്നതു്.

ബഹുമാനപ്പെട്ട ജന്മിമാർ മഹാമനസ്കന്മാരാണ്. അവരോടു ഞങ്ങൾക്കു വലിയ ആദരവുണ്ടു്. വളരെക്കാലമായി ഞങ്ങളെ സഹായിച്ചുകൊണ്ടിരുന്നു. എന്നാൽ ഇപ്പോൾ ഉണ്ടായിട്ടുള്ള കരക്കുടിശ്ശിഖ ഈടാക്കുന്ന വിഷയത്തിൽ ഞങ്ങളെ ബുദ്ധിമുട്ടിക്കുന്നതു ശരിയല്ല. അവരുടേയൊ ഞങ്ങളുടേയൊ കുററംകൊണ്ടല്ല കുടിശ്ശിഖ വന്നുപോയിട്ടുള്ളതു്. ഫാറം കൊടുക്കാൻ സൗകര്യപ്പെടാതെ പോയതാണു കുടിശ്ശിഖക്കു കാരണം. ജന്മിമാരിൽ അധികവും നംപൂതിരിമാരാണ്. അവർ മഹാമനസ്കന്മാരായതുകൊണ്ടാണു ഇങ്ങനെ ആവശ്യപ്പെടുന്നതു്. നാട്ടുകാരുടെ വീഴ്ചകൊണ്ടല്ല ഇങ്ങനെ സംഭവിച്ചിട്ടുള്ളതു്.

MR. R. NARAYANAN NAMBOOTIRI (*Member, Sri Mulam Assembly*): ഈ വീഴ്ചക്കു കുറവുചെയ്തുകൊടുത്താൽ മതിയൊ?

MR. K. R. NARAYANAN: അവരുടെ മഹാമനസ്കതയെ മുൻനിറുത്തി കുടിയാന്മാൎക്കു വന്നുപോയ വീഴ്ചയെ ശരിപ്പെടുത്തണമെന്നാണു പറയുന്നതു്. ആനക്കു ഒരു വററു എത്ര നിസ്സാരമാണ്. എന്നാൽ ഒരു ഉറുമ്പിനു അതു കിട്ടുന്നുവെങ്കിൽ അഞ്ചെട്ടുദിവസം കഴിച്ചുകൂട്ടാൻ സാധിക്കും. ജന്മിമാരുടെ ചരിത്രപരമായ പ്രസിദ്ധിയും കാലചക്രഭ്രമണാനിമിത്തം ഭാഗ്യാതിരേകത്താൽ ഉന്നതസ്ഥാനത്തു ഇരിക്കുന്നതിനും സാഗതിയായി. അവരുടെ ശരീരം വിയൎപ്പിക്കാൻപോകണ്ടാ. മററു യാതൊരു ബുദ്ധിമുട്ടിനും പോകണമെന്നു പറയുന്നില്ല. ഇന്നത്തെ സാഹചര്യങ്ങളെ അവർ പരിപാലിക്കുകതന്നെ വേണം. താമരയില്ലാത്ത കുളമായി ഒരിക്കലും വരാൻ പാടില്ല. അവർ പ്രഭുക്കന്മാരായി

തന്നെ ഇരിക്കണം, അവർ മഹാമനസ്കന്മാരായി വിട്ടുവീഴ്ചകളോടു കൂടി പ്രവൃത്തക്കന്മാരായി അഞ്ചാറു വർഷം കഴിഞ്ഞുകൂടിയാൽ കാര്യമെല്ലാം ശരിയാകും. അപ്പോൾ ഫാറം കൊടുത്താൽ ഞങ്ങൾ പണം കൊടുക്കാൻ തയാറാണ്. ജനങ്ങൾ ബില്ലുണ്ടാകുമെന്നു പ്രതീക്ഷിച്ചുകൊണ്ടിരിക്കുന്നു. റിപ്പോർട്ടു പര്യാപ്തമാണെന്നു ഒരു കൂട്ടർ പറയുന്നു. റിപ്പോർട്ടിൽ പറയുന്ന സംഗതികൾ അതിരുകടന്നുപോയി എന്നു മററു ചിലരും പറയുന്നു. രണ്ടു കൂട്ടരും പറയുന്നതു ശരിയാണു. പക്ഷെ, രണ്ടും ശരിയായിരിക്കാൻ നിവൃത്തിയില്ല. ഗവണ്മെൻറുതന്നെ ശ്ലാഘനീയമെന്നു പറയുന്ന ഈ റിപ്പോർട്ടിനെയെങ്കിലും കാലവിളംബംകൂടാതെ പാസാക്കണം. അല്ലാതെ ഇങ്ങനെ നീട്ടിനീട്ടി കൊണ്ടുപോകുന്നതുകൊണ്ട് പ്രയോജനമില്ല. ശരീരവും പ്രാണനും തമ്മിൽ വിട്ടുപിരിയാൻ പോകുന്ന ഈ അവസരത്തിൽ വേണ്ട സഹായം ചെയ്യണം. അനവസരത്തിൽ ചെയ്യുന്ന സഹായങ്ങൾകൊണ്ടു ഫലമില്ല. അതുകൊണ്ടു ഏററവും വേഗത്തിൽ ഇതിനെ നിയമമാക്കി കൃഷിക്കാരെ രക്ഷിക്കണമെന്നപേക്ഷിക്കുന്നു.

MR. K. V. JOSEPH (*Member, Sri Mulam Assembly*): സർ, കടനിവാരണം സംബന്ധിച്ച ആലോചനകൾക്കായി ഈ സഭയിലെ ഒരു മെമ്പറായി എന്നെ നിയമിച്ചതിൽ ബഹുമാനപ്പെട്ട ഗവണ്മെൻറിനോടു എനിക്കുള്ള നന്ദിയെ ഒന്നാമതായി സമർപ്പിച്ചുകൊള്ളുന്നു.

കടനിവാരണം ഉണ്ടാകിത്തരണമെന്നു ഞങ്ങൾ കഴിഞ്ഞ പത്തു കൊല്ലങ്ങളായി ഗവണ്മെൻറിനോടപേക്ഷിച്ചു കൊണ്ടിരിക്കുകയാണ്. അതിൻെറ ഫലമായി ഗവണ്മെൻറിൽനിന്നും ഒരു കമ്മററിയെ ഏല്പ്പെടുത്തുകയും, ആ കമ്മററി വേണ്ട അന്വേഷണം നടത്തി ഒരു റിപ്പോർട്ടു സമർപ്പിക്കയും അതനുസരിച്ചു ഒരു നിയമം പാസാക്കി നടപ്പിൽ വരുത്തുകയും ചെയ്തു. എന്നാൽ ആ നിയമംകൊണ്ടു കടക്കാർക്കു യാതൊരു പ്രയോജനവുമില്ലെന്ന് ഗവണ്മെൻറും ജനങ്ങളും ഒരുപോലെ സമ്മതിച്ചു കഴിഞ്ഞു. കൺസിലിയേഷൻ ബോർഡുകൊണ്ടു യാതൊരു ഗുണവും കിട്ടുന്നില്ലെന്നുള്ള ഞങ്ങളുടെ സങ്കടത്തിനു പരിഹാരമുണ്ടാക്കാനായി ഗവണ്മെൻറിൽനിന്നും മറെറാരുകമ്മററിയെ ഏർപ്പെടുത്തുകയും ആ കമ്മററി വേണ്ട അന്വേഷണം നടത്തി ഒരു റിപ്പോർട്ടു സമർപ്പിക്കുകയും ചെയ്തു. ഇതൊരു വിഷമമേറിയ സംഗതിയാണെന്നു ആരംഭകാലത്തു പലരും അഭിപ്രായപ്പെട്ടിരുന്നുവെങ്കിലും അതിനു ഒരു തീരുമാ

നമുണ്ടാക്കണമെന്ന ഗവണ്മെൻറു ഇപ്പോൾ നിശ്ചയിച്ചു കഴിഞ്ഞു. കരാറുകളുടെ പരിശുദ്ധതയിൽ കുറെയെല്ലാം വിട്ടുവീഴ്ച ചെയ്യാമെന്നും മുതൽ കുറെ കുറയ്ക്കാമെന്നും പലിശ കുറയ്ക്കാമെന്നും തവണ അനുവദിക്കാമെന്നും മററും സമ്മതിച്ചിട്ടുണ്ട്. കോർട്ടുജപ്തി വാറണ്ടു ഇവയൊന്നും നീതീകരിക്കത്തക്കതല്ലെന്നും ഇപ്പോൾ വന്നിട്ടുണ്ട്. ഈ സംഗതികൾ കൊണ്ടെല്ലാം ഞങ്ങൾക്കു കുറെ സന്തോഷത്തിനും ആശ്വാസത്തിനും വകയുണ്ട്. വെറും ആജിറ്റേഷൻകൊണ്ടുമാത്രം ഗവണ്മെൻറിനെ വിഷമിപ്പിച്ചു നിയമം പാസാക്കിച്ചുകളയാമെന്നു കൃഷിക്കാരായ ഞങ്ങൾ ഒരിക്കലും ഉദ്ദേശിച്ചിട്ടില്ലെന്നു എനിക്കു ധൈര്യമായും മനസ്സാക്ഷിയോടും പറയാവുന്നതാണ്. ആജിറ്റേഷനിൽ മാത്രം ഞങ്ങൾ നില കൊള്ളുന്നു എന്നൊരു അഭിപ്രായമുണ്ടെങ്കിൽ അതിനെ ആദരപൂർവം ഞാൻ നിഷേധിക്കുന്നു. ഈ പത്തുവർഷക്കാലത്തിനിടക്കു കടനിവാരണംസംബന്ധിച്ച കാര്യങ്ങളിൽ ഗവണ്മെൻറിനു ഒരൊററ സംഗതിയിലും അപ്രീതിക്കു ഞങ്ങൾ കാരണമാക്കിയിട്ടില്ല. ഗവണ്മെൻറിനെ സമീപിച്ചു സങ്കടം പറയുക, ന്യായമായ മാർഗ്ഗങ്ങളിൽകൂടി പ്രവർത്തിക്കുക, പൊതുജനാഭിപ്രായം രൂപീകരിക്കുക, കൃഷിക്കാരെ സംഘടിപ്പിച്ചു പ്രവൃത്തിക്കുക, ഇതൊക്കെയാണ് ഞങ്ങൾ ചെയ്തിട്ടുള്ളത്. നിയമനിഷേധം ഞങ്ങൾക്കില്ല. അടുത്തകാലത്തുണ്ടായിട്ടുള്ള മറെറാരു പ്രസ്ഥാനത്തോടുകടനിവാരണക്കാര്യം സംബന്ധപ്പെടുത്തുന്നതു ശരിയായിരിക്കയില്ല. കടനിവാരണ പരിശ്രമങ്ങളിൽ ഒരു പ്രധാനപങ്ക് ഞാനും വഹിച്ചിട്ടുണ്ട്. ഗവണ്മെൻറിൻെറ സന്മനസ്സിനെ ആശ്രയിക്കുക, ഗവണ്മെൻറിൻെറ കാരുണ്യത്തിൽ അടിയുറച്ചു നിൽക്കുക, ഇവയാണ് എൻെറ സ്ഥിരമായ പ്രമാണം.

൧൦൭൦-നു മുമ്പുവരെ ഇത്ര വലിയതോതിലുള്ള കൃഷിയോ ഇത്ര വലിയ പണമിടപാടോ ഉണ്ടായിരുന്നില്ല. റബ്ബർ കൃഷിക്കായി യൂറോപ്യന്മാർ ആദ്യം ഇവിടെ വന്നപ്പോൾ ഗവണ്മെൻറു അവരെ സഹായിച്ചു. അതിനുശേഷം നാട്ടുകാർ വന്യമൃഗങ്ങളുമായി പോരാടി കാടുവെട്ടിത്തെളിച്ചു നല്ല തോട്ടങ്ങൾ ഉണ്ടാക്കി റബ്ബർ, തേയില, കുരുമുളക മുതലായ കൃഷി തുടങ്ങി രാജ്യത്തിൻെറ ഐശ്വര്യത്തെ വർദ്ധിപ്പിച്ചുകൊണ്ടിരിക്കയാണ്. അവരെല്ലാം ഇന്നു വലിയ കടത്തിൽ അകപ്പെട്ടിരിക്കുന്നു. ഇതുപോലെ തന്നെ കുട്ടനാടൻപ്രദേശങ്ങളിൽ കായലായി കിടന്ന പ്രദേശങ്ങൾക്കു വലിയ തറവിലകൊടുത്തു വാങ്ങി കരവുംകൊടുത്തു വമ്പിച്ചതോതിൽ നെൽകൃഷിചെയ്തു രാജ്യക്ഷേമം വർദ്ധിപ്പിച്ചു കൊണ്ടിരുന്ന കർഷകർ കടം നിമിത്തം അനുഭവിക്കുന്ന സങ്കടങ്ങൾ ചില്ലറയല്ല.

൧൦൮൦-നു ശേഷമാണ് ഗവൺമെൻറിൻെറ വരവു വർദ്ധിച്ചത്. ൧൦൮൦-നു മുമ്പു ഗവൺമെൻറിനു ചുരുങ്ങിയ ശമ്പളക്കാരെ ഉണ്ടായിരുന്നൊള്ളു. ഇന്നു വമ്പിച്ച ശമ്പളക്കാരും വിദഗ്ദ്ധന്മാരുംഉണ്ടാകാൻ കാരണമായതു് ൧൦൮൦-നു ശേഷമുള്ള രാജ്യത്തെകൃഷിവർദ്ധനവിൻെറ ഫലമാണെന്നും, അല്ലാതെ ഈരാജ്യക്കാർ യുദ്ധം ചെയ്തു കൂടുതൽ രാജ്യം ഇങ്ങോട്ടു ചേർത്തുകൊണ്ടല്ല എന്നും ബഹുമാനപ്പെട്ട ഗവൺമെൻറിനെ ഞാൻ അറിയിച്ചുകൊള്ളട്ടെ. ഗവൺമെൻറു പല ഇനത്തിലും വരവു വർദ്ധിപ്പിച്ചു. ലക്ഷക്കണക്കിനു വിദേശികളായ കൂലിക്കാർ ഇവിടെവന്നപ്പോഴം അവർക്കാവശ്യമുള്ള സാധനങ്ങൾക്കെല്ലാം ഡ്യൂട്ടി ചുമത്തി വരവുണ്ടാക്കി. തിരുവിതാംകൂറിൽ ഏററവും പ്രധാനമായ താലൂക്ക്മലംപ്രദേശമായ പീരുമേടാണ്. പീരുമേട്ടിലുള്ളതുപോലെ വരുമാനമുള്ള മറെറാരുതാലൂക്ക് തിരുവിതാംകൂറിലില്ല. അവിടെ ഗതാഗതത്തിനു വേണ്ട റോഡുകൾ വെട്ടിക്കൊടുത്തു. ഈ താലൂക്കിനു ഇത്രയും പ്രാധാന്യം വന്നു ചേർന്നതു അവിടെ നടക്കുന്ന വൻപിച്ച തോട്ടത്തിലുള്ള കൃഷികൊണ്ടാണ്. അങ്ങിനെയുള്ള കൃഷിക്കാരാണ് ഇന്നു ഋണബാധിതരായിവലയുന്നതു്.

ചില കടക്കാരെ മാത്രം നിയമത്തിൻെറ പരിധിയിൽ കൊണ്ടുവരണമെന്നും ചില കടക്കാരെ നിയമത്തിൽനിന്നും ഒഴിവാക്കണമെന്നും ഈ രാജ്യത്തെ ചില പണവ്യാപാരികൾ ശക്തിയായി വാദിക്കയും ഗവൺമെൻറിനെ അതിലേക്ക് ഉത്സാഹിപ്പിക്കയുംചെയ്തു. അങ്ങിനെ ചെയ്യുന്നതു് ഒരുവിധത്തിലും നീതിയായിട്ടുള്ളതല്ല. തോട്ടകൃഷിക്കാർ "സ്പെക്കുലേറേറർസ്" ആണെന്നും കൂടുതൽ സംഖ്യ കടംവാങ്ങിച്ചതു് കൂടുതൽ ആദായമുണ്ടാക്കാനാണെന്നും മി. എസ്. കൃഷ്ണയ്യർ പറയുകയുണ്ടായി. ആദായമുണ്ടാക്കാനായി കൂടുതൽ പലിശയ്ക്കു കടംകൊടുക്കുന്നവരല്ലേസ്പെക്കുലേറേറഴ്സ് എന്നു ഞാൻ ചോദിച്ചുകൊള്ളട്ടെ. മി. എസ്സ്. കൃഷ്ണയ്യർ രണ്ടു കമ്മിററികളിൽ മെമ്പറായിരുന്നു. ഈ രണ്ടു കമ്മിററികളിലും വച്ച് അദ്ദേഹത്തെ ഞാൻ നേരിട്ടുകണ്ടു സംസാരിച്ചിട്ടുണ്ട്. സാമ്പത്തികാധഃപതനകമ്മിററി റിപ്പോർട്ടിൽ അദ്ദേഹത്തിൻെറ സ്വന്തഅഭിപ്രായം പറഞ്ഞിരിക്കുന്നതു കർഷകരെ സഹായിക്കേണ്ടതു അത്യാവശ്യമാണെന്നും അതിലേക്കു ൫൦ ലക്ഷം രൂപായെങ്കിലും ഉടനടി മുടക്കണമെന്നുമാണ്. അദ്ദേഹംതന്നെ ഇപ്പോൾ ഇങ്ങനെയൊരു നിയമത്തിൻെറ ആവശ്യമേയില്ലെന്നു പറയുന്നു. ഇതു രണ്ടുംകൂടി യോജിക്കുന്നതെങ്ങിനെയെന്നു എനിക്കു മനസ്സിലാകുന്നില്ല. വയസ്സുകൊണ്ടു അദ്ദേഹത്തിനു ഓർമ്മക്കു

റവൊന്നും വന്നിട്ടില്ല. ഇപ്പോഴത്തെ ആവശ്യം ഇതാണെന്നു കരുതി ഈ അഭിപ്രായം പറഞ്ഞതായിട്ടേ ഞാൻ വിചാരിക്കുന്നുള്ളൂ. അതുപോലെതന്നെ ബാങ്കിങ്ങ് എങ്കൊയറി കമ്മിററിയാലും അദ്ദേഹം ഒരു മെമ്പറായിരുന്നു. ആ കമ്മിററി റിപ്പോർട്ടിൽ ൩൧-ാം പാരായിൽ ഈ രാജ്യത്തെ പലിശക്രമം വളരെ ക്രൂരതലാണെന്നും, ൧൨ മുതൽ ൨൪ ശതമാനംവരെ പലിശയും ഇതിനുപുറമെ കമ്മീഷൻ, വട്ടം, പലിശയ്ക്കു പലിശ മുതലായവ ബാങ്കറന്മാർ വാങ്ങിക്കുന്നുണ്ടെന്നും, ഗവണ്മെൻറു ഈ ഏർപ്പാടിനെ തടയേണ്ടതാണെന്നും മി. എസ്. കൃഷ്ണയ്യർതന്നെ രേഖപ്പെടുത്തിയിട്ടുണ്ട്. കൂടാതെ പണവ്യാപാരികൾ ൧൨ മുതൽ ൬൦ ശതമാനം വരെയും തെക്കൻ തിരുവിതാംകൂറിൽ ൧൫ ശതമാനംവരെയും പലിശ ഈടാക്കുന്നുണ്ടെന്നു പറഞ്ഞിട്ടുണ്ട്. ഇതെല്ലാം മറന്നു, ഈ രാജ്യത്തെ കർഷകരെ ഒരാക്ഷേപസ്വരത്തിൽ അദ്ദേഹം വിമർശിക്കുന്നതിൽ എനിക്കു വലിയ മനസ്താപമുണ്ടെന്നു ഞാൻ അദ്ദേഹത്തെ അറിയിച്ചുകൊള്ളട്ടെ.

തിരുവിതാംകോട്ടു ൧൨ ശതമാനം പലിശ മാത്രമേ വാങ്ങിക്കാവൂ എന്നുള്ള ഒരു നിയമം വളരെ മുമ്പുമുതൽക്കുതന്നെ ഉണ്ടെന്നും, അതിനാൽ പലിശ നിയന്ത്രിക്കേണ്ട ആവശ്യമില്ലെന്നും പണക്കാർ വാദിക്കുന്നു. എന്നാൽ, ഗവണ്മെൻറു നിയമത്തിനു വിപരീതമായി ൨൪ ശതമാനം പലിശ വാങ്ങിച്ചിട്ടുണ്ട്. അങ്ങിനെ നിയമലംഘനം ചെയ്യുവരാണ് കർഷകരേ ആക്ഷേപിക്കാൻ പുറപ്പെടുന്നതെന്നുള്ള സംഗതി ഗവണ്മെൻറു ദയവായി ചിന്തിക്കേണ്ടതാണു. ബാംകുകാർ ൧൨ മുതൽ ൨൪ വരെ പലിശ വാങ്ങിച്ചുകൊണ്ടിരുന്നുവെന്നുള്ളതു ബാംകിങ്ങു എൻകൊയറി കമ്മിററി റിപ്പോർട്ടുകൊണ്ടും, അവർ രജിസ്റ്റ്രാരുടെ മുമ്പാകെ ഹാജരാക്കിയിട്ടുള്ള ബാലൻസ്ഷീററ് പരിശോധിക്കുന്നതുകൊണ്ടും അറിയാവുന്നതാണ്. ൨൪-ം ൩൦-ം ശതമാനം അവർ ഷെയറിനു ഡിവിഡൻറു കൊടുത്തുകൊണ്ടിരുന്നു. അതിനാൽ അനീതിയായി പലിശ വാങ്ങിച്ചുകൊണ്ടിരുന്ന ബാംകുകാരെ നിയമത്തിൽനിന്നും ഒഴിവാക്കി വിടുകയും, കഷ്ടപ്പെടുന്ന സാധുക്കളായ കർഷകരെ ഉപദ്രവിക്കുന്നതിനു അനുവദിക്കയും ചെയ്യുന്നതു നീതിയായിട്ടുള്ളതല്ല.

എൻെറ സ്നേഹിതൻ മി. എം. കെ. അനന്തശിവയ്യർ കർഷകദുരിതനിവാരണക്കമ്മിററിയിൽ മെമ്പറായിരുന്നു. അദ്ദേഹം ഗവണ്മെൻറിൽ ഒരു പെററീഷൻ സമർപ്പിച്ചിട്ടുണ്ട്. അതായതു ൪ മുതൽ ൬ ശതമാനംവരെ പലിശയും, ൨൫ മുതൽ ൩൦ വർഷം വരെ തവണക

ളായി കടം തീക്കുന്നതിനു വ്യവസ്ഥയും ചെയ്താൽ പണക്കാർ തൃപ്തിപ്പെട്ടു കൊള്ളുമെന്നാണു. ഇപ്പോഠം പണക്കാർ അതെല്ലാം മറന്നു ഞങ്ങൾക്കു എതിരായ അഭിപ്രായം പുറപ്പെടുവിച്ചു കർഷകർക്കു ദോഷമായ വിധത്തിൽ ഒരു നിയമം ഉണ്ടാക്കണമെന്നുള്ള ഉദ്ദേശത്തിൽ പുറപ്പെട്ടിരിക്കുന്നു. രണ്ടാമത്തെ ഋണനിവാരണക്കമ്മിററി റിപ്പോർട്ടിൽ ഞാൻ എഴുതിചേർത്തിട്ടുള്ള ഡിസെൻറിംഗു മിനിട്ടിൽ പറഞ്ഞിട്ടുള്ള നാലുകേസുകളെപ്പററി അന്വേഷണം നടത്തുന്ന പക്ഷം പണക്കാർ ചെയ്തിട്ടുള്ള അക്രമങ്ങൾ ഗവണ്മെൻറിനുതന്നെ ബോദ്ധ്യപ്പെടും.

ഈ കേസ്സുകളെപ്പററി ഒരന്വേഷണം നടത്താൻ സമർത്ഥനായ ഒരുദ്യോഗസ്ഥനേയും നാലു അനുദ്യോഗസ്ഥ മെമ്പർമാരെയും നിയോഗിച്ചാൽ അഞ്ചോ ആറോ ദിവസത്തിനകം ഒരു റിപ്പോർട്ടു വരുത്താം. അതിൻെറ ഫലമായി ഇതുപോലുള്ള അനേകായിരം അക്രമങ്ങളും അനീതികളും നടന്നിട്ടുണ്ടെന്ന് ഗവണ്മെൻറിന് ബോദ്ധ്യപ്പെടുന്നതുമാണ്.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Legal Remembrancer to Government*) : ഈ നാലുകേസിലെയും കക്ഷികഠം ആരാണ്?

MR. K. V. JOSEPH : (൧) റാന്നി കല്ലരിക്കാൻവീട്ട് (൨) കോട്ടയം പീടികക്കാൻ (മണർകാട്ട) (൩) പൊൻകുന്നം നീറിയിൻകാൽ ജോസഫ് വക്കീൽ (൪) മുണ്ടക്കയം ഒററത്തെങ്ങുങ്കൽ ദേവസ്യ ഇവരാണ്.

MR. KALLOOR NARAYANA PILLAI (*Member, Sri Chithra State Council*) : ഈ കേസുകളിൽ വാദികളാരെല്ലാമാണെന്നു പറയാമോ?

MR. K. V. JOSEPH : പറയാം. ആദ്യത്തെയും രണ്ടാമത്തെയും കേസുകളിലെ വാദി മഴുങ്കാമ്പ് ആന്റി അയ്യർ ആണ്. ൩-ാമത്തെ കേസിലെ വാദി ഒരു ചിട്ടി മുന്നാളനാണ്. നാലാമത്തെ കേസിലെ വാദി ഒരു ബാങ്കാണ്.

ഇപ്പോഴത്തെ സ്ഥിതിക്കു ഗവണ്മെൻറിൻെറ സഹായമില്ലാതെ കർഷകരെ രക്ഷിക്കാൻ ഒരു നിവൃത്തിയില്ല. ഉൽപ്പന്നങ്ങളുടെ ഒരു വില ലിസ്റ്റ് ഞാൻ ഹാജരാക്കിയിട്ടുണ്ട്. ഉൽപ്പന്നങ്ങൾക്കു വിലകൂടിയിരുന്ന കാലത്തു് വാങ്ങിച്ചിട്ടുള്ള കടമാണ് ഇന്നുള്ളതു്. ആ കണക്കിനു ഇന്നത്തെ സ്ഥിതിയനുസരിച്ചു കൊടുത്തു തീർക്കാൻ ഒരു കർഷകനും സാധിക്കുകയില്ല. ഈ സ്ഥിതിയിൽ ഞങ്ങൾക്ക് സഹായം ഗവണ്മെൻറ് മാത്രമാണ്. മഴയില്ലാതെ ചില സ്ഥലങ്ങളിൽ വെള്ളത്തിനായി നാലും അഞ്ചും മൈൽ ദൂരെ ചെന്നു തലച്ചുമടായും ലോറികളിൽ കയററിയും

വെള്ളംകൊണ്ടുവന്നു കഷ്ടപ്പെടുന്ന കർഷകരെ സഹായിക്കുന്നതുകൊണ്ടു രാജ്യത്തെക്രെഡിററുപോകും, കോൺട്രാക്ററിന്റെ പരിശുദ്ധത ഇല്ലാതാകും, രാജ്യത്തിനുദോഷംവരുമെന്നൊക്കെയാണ് പണക്കാർ പറയുന്നതു്. ഈ വാദത്തിനു യാതൊരു വിലയുമില്ല എന്നുള്ളതു രണ്ടു കാര്യങ്ങളോർത്താൽ ഗവണ്മെൻറു സമ്മതിക്കും. ൫൦൦൦ രൂപായ്ക്കു താഴെ കടമുള്ളവരെ ഗവണ്മെൻറു സഹായിക്കണമെന്നും ബാക്കിയുള്ളവരെ ഓടിക്കണമെന്നുമാണ് പണക്കാർ വാദിക്കുന്നതു്. ൫൦൦൦ രൂപായ്ക്കു താഴെയുള്ള കടങ്ങളെല്ലാം ഗവണ്മെൻറു ഏറെറടുത്തു പണക്കാൎക്കു് റൊണമായി അങ്ങ് കൊടുക്കും. എന്നാൽ കാടുകൾ വെട്ടിത്തെളിച്ച് മനോഹരമായ കൃഷിഭൂമികളാക്കി വൻതോതിൽ കൃഷിചെയ്യുന്ന തോട്ടകൃഷിക്കാരുടെ കടത്തിനു വേണ്ടി അവരുടെ തോട്ടങ്ങൾ, എത്ര ലക്ഷം രൂപാ വിലപിടിപ്പുള്ളവയായാലും ശരി, കോർട്ടു് ലേലത്തിൽ കൊണ്ടുവന്ന് കൈവശപ്പെടുത്തികൊള്ളാമെന്നുമാണ് അവരുടെ ആഗ്രഹം. ലക്ഷം രൂപായുടെ വസ്തു ൧൦൦൦ രൂപായ്ക്കു ലേലത്തിൽ വരുന്നപക്ഷം ൧൦൦൧ രൂപായ്ക്കു് വിളികേട്ടു് വസ്തു ലേലത്തിൽ പിടിച്ചു പണംകെട്ടിവയ്ക്കാൻ നിവൃത്തിയില്ലാതെവന്ന്, വിലപിടിച്ച വസ്തുക്കൾ നിസ്സാര വിലയ്ക്കു പണക്കാൎക്കു കിട്ടും എന്നുള്ള ആഗ്രഹത്തോടുകൂടി ഗവണ്മെൻറിനെ തെററിദ്ധരിപ്പിക്കയാണ് ചെയ്യുന്നതു്. എല്ലാ പണമിടപാടുകളും, ചിട്ടിഇടപാടായാലും, ബാങ്കിടപാടായാലും മററു പണക്കാരുമായിട്ടുള്ള ഇടപാടുകളായാലും ഒരേറേറ് പലിശയും കാലാവധിയും നിർണ്ണയിച്ചു കൊടുത്തു തീർക്കുന്നതിനു അനുവദിച്ച് ഞങ്ങളെ സഹായിക്കാതിരുന്നാൽ രാജ്യത്തെ ഐശ്വര്യം വർദ്ധിപ്പിച്ചുകൊണ്ടിരിക്കുന്ന മലം പ്രദേശങ്ങളിലെതോട്ടകൃഷിക്കാരും കുട്ടനാടൻ പ്രദേശങ്ങളിലെ നെൽകൃഷിക്കാരും താമസംകൂടാതെ നിർദ്ധനാവസ്ഥയിൽ എത്തുമെന്നും അതുഗവണ്മെൻറിനു കൂടുതൽ ബുദ്ധിമുട്ട് ഉണ്ടാക്കുമെന്നും ആണ് എനിക്ക് പറയുവാനുള്ളതു്. അതുകൊണ്ടു് ഏതിടപാടിനും നാലര ശതമാനത്തിൽ കവിയാത്ത പലിശ നിശ്ചയിക്കയും ൧൫ കൊല്ലത്തെ അവധി തരുകയും ചെയ്താൽ ഞങ്ങൾക്കു രക്ഷ കിട്ടും. അതുകൊണ്ടും ഇന്ന് നടപ്പിലിരിക്കുന്ന എല്ലാ പണമിടപാടുകളും, കോർട്ടു വിധിയായ ഏർപ്പാടുകൾ ഉൾപ്പെടെ, എത്ര പലിശകൂടി വർദ്ധിച്ചതായാലും, ആദ്യമുതലും അരവാശിയും മാത്രം കണക്കാക്കി ആയതിൽനിന്നും നാളതുവരെകൊടുത്തു കഴിഞ്ഞിട്ടുള്ള എല്ലാസംഖ്യകളും കുറവുചെയ്തു ബാക്കി കാണുന്നതുക ൧൫ കൊല്ലവും ൨൫ തുല്യതവണകളുമായി നാലര ശതമാനം

പലിശയോടു കൂടി കൊടുത്തു തീർക്കുന്നതിനും, ഒന്നാമത്തെ തവണ നിയമം നടപ്പിൽ വരുന്ന തീയതി കഴിഞ്ഞു ൧൨ മാസങ്ങൾക്കകമെന്നും നിയമത്താൽ ക്ലിപ്തപ്പെടുത്തേണ്ടതുമാകുന്നു.

MR. C. N. THUPPAN NAMBOORI (*Member, Sri Chitra State Council*) : പലിശ കുറയ്ക്കണമെന്നു പറഞ്ഞ കൂട്ടത്തിൽ ജന്മിമാർ വാങ്ങിച്ചിട്ടുള്ള കാണത്തിന്റെയും പലിശ ചുരുക്കണമെന്നഭിപ്രായമുണ്ടോ?

MR. K. V. JOSEPH : അതു പറയാം. അതുകൊണ്ട് ഈ രാജ്യത്തെ മരിക്കാറായിരിക്കുന്ന എല്ലാ രോഗികൾക്കും, അതായതു കൃഷിക്കാരായ എല്ലാ കടക്കാർക്കും ഒരു നിവാരണമാർഗ്ഗം പ്രദാനം ചെയ്യേണ്ടതാണ്.

ഈ രാജ്യത്തു ൨൫ കോടി രൂപായുടെ കടം ഉണ്ടെന്നു പത്തുകൊല്ലം മുമ്പു മി. എസ്. കൃഷ്ണയ്യർകൂടി ഉൾപ്പെട്ട ബാങ്കിംഗ് എൻക്വയറി കമ്മിററിയുടെ റിപ്പോർട്ടിൽ കാണിച്ചിട്ടുണ്ടായിരുന്നു. ഇപ്പോൾ അതു എത്രയായിട്ടുണ്ടെന്നു എന്റെ സ്നേഹിതന്മാരായ ബാങ്കർമാരോ മററു പണവ്യാപാരികളോ ഒരു കണക്കു ഹാജരാക്കുന്നപക്ഷം ഗവണ്മെന്റുപോലും ഭയപ്പെട്ടുപോകും.

MR. KOTTALIL P. ABRAHAM (*Member, Sri Mulam Assembly*) : ഒരു വ്യക്തിക്കാരന്റെ ഏററവും കൂടുതൽ വരുന്ന കടം എത്രയാണ്?

MR. K. V. JOSEPH : എത്ര കടമുണ്ടായിരുന്നാലും അതെല്ലാം ഈ നിയമത്തിന്റെ പരിധിയിലുൾപ്പെടുത്തണമെന്നാണ് എന്റെ താഴ്മയായ അഭിപ്രായം. സ്വത്തില്ലാത്ത ആളുകൾക്കു കടമുണ്ടായിരുന്നാൽ കടം കൊടുത്തവർക്കു ഒന്നും തന്നെ തിരികെ കിട്ടിയില്ലെന്നു വരാം. എന്നാൽ സ്വത്തുള്ളവർക്കു വലിയ കടമുണ്ടായിരുന്നാലും അവരേയും നിയമത്താൽ രക്ഷിക്കണമെന്നു ഞാൻ അപേക്ഷിച്ചുകൊള്ളുന്നു. ഞാൻ പറഞ്ഞിട്ടുള്ള എല്ലാ അഭിപ്രായങ്ങളെപ്പററിയും ദയവായി ആലോചിച്ചു എല്ലാ കടക്കാർക്കും സമാധാനം കിട്ടത്തക്കവണ്ണം, വിധിയായിട്ടുള്ളതും, ലേലം ചെയ്തിട്ടുള്ളതും, ൧൦൫-ന് ശേഷമുള്ളതുമായ സകല ഇടപാടുകളും കമ്മിററി റിപ്പോർട്ടിൽ പറഞ്ഞിരിക്കുന്ന പ്രകാരം എല്ലാ സംഖ്യയും കുറവു ചെയ്തു ൪ ½ ശതമാനം പലിശയോടുകൂടി ൧൨ കൊല്ലത്തെ കാലാവധിയും ൨൪ തവണകളുമായി കൊടുക്കണമെന്നു ഞാൻ അപേക്ഷിക്കുന്നു. നിയമം പാസായി ൧൫ മാസത്തിനകം ഇടപാടു തീർക്കുന്ന ഏതു കടക്കാരനും ൨൦ ശതമാനവും, അഞ്ചു കൊല്ലത്തിനകം പത്തു തവണകളായി ഇടപാടു തീർക്കുന്നവർക്കു പത്തു ശതമാനവും മുതലിൽ

കുറവുചെയ്തുകൊടുക്കണം. ഇപ്പോൾതന്നെ ൧൱-ം ൨൦-ം കൊല്ലം വരെ ഇടപാടു നീണ്ടുനിൽക്കുന്നു എന്നു പണക്കാർതന്നെ സമ്മതിക്കുന്നുണ്ടു്. അതുകൊണ്ടു് കാലാവധി വയ്ക്കുന്നതുകൊണ്ടു് അവൎക്കൊരു നഷ്ടവും വരാനില്ല.

MR. A. K. KUMARAN VAIDYAN (*Member, Sri Mulam Assembly*): ൧൫ മാസംകൊണ്ടു കൊടുക്കണമെന്നു പറഞ്ഞു. അതു് വലിയ കടക്കാരോ ചെറിയ കടക്കാരോ?

MR. K. V. JOSEPH: എല്ലാകടക്കാരും. വളരെ ദീർഘമായി കമ്മിററി ആലോചിച്ചു് തയ്യാറാക്കിയ ഒരു റിപ്പോർട്ടാണു് ഇവിടെ ഹാജരാക്കിയിട്ടുള്ളതു്. ഈ രാജ്യത്തെ ഒരു വലിയ നിയമജ്ഞനും, ഗവൺമെൻറിൽ പല ഉദ്യോഗങ്ങളും വഹിച്ചു ഒടുവിൽ ദിവാൻജിയായി മൂന്നുകൊല്ലം ഇരുന്നയാളുമായ ഒരു ദേഹമായിരുന്നു ഈ കമ്മിററിയുടെ പ്രസിഡൻറു്. അദ്ദേഹം മദ്ധ്യസ്ഥമായ നിലയിൽ ഞങ്ങളോടു സംസാരിച്ചു് സംഗതികൾ തീരുമാനിച്ചിട്ടുണ്ടു്. അദ്ദേഹത്തിനു തോന്നുന്ന സ്വന്തമായ അഭിപ്രായങ്ങൾ എല്ലാസമയത്തും കമ്മിററിയെ അറിയിക്കുകയും, കമ്മിററിക്കു ആലോചിച്ചു് മറുപടി പറയുവാനുള്ള അവകാശം നൽകുകയും ചെയ്തിട്ടാണു് റിപ്പോർട്ടു തയ്യാറാക്കിയതു്. ഈ റിപ്പോർട്ടിനെ ആക്ഷേപിക്കുന്നവർ അതിലെ കാര്യങ്ങൾ മനസ്സിലാക്കാതെ ചെയ്യുന്നതാണു്. കമ്മിററിപ്രസിഡൻറിന്റെ ഓരോ മീററിങ്ങിലുമുള്ള മദ്ധ്യസ്ഥമായ വാക്കുകളെ ഇപ്പോഴും ഞാൻ സന്തോഷത്തോടുകൂടി ഓർത്തുകൊണ്ടിരിക്കയാണു്. ഈ രാജ്യത്തു ഇത്രവലിയ ഒരാളിനെ ഈ കമ്മിററിയിലെ പ്രസിഡൻറായിട്ടു കിട്ടിയതുതന്നെ ഒരു ഭാഗ്യമാണു.

മി. എസ്. കൃഷ്ണയ്യർതന്നെ എന്നോടു നേരിട്ടുപറഞ്ഞതു് കമ്മിററി പ്രസിഡൻറിനെ അദ്ദേഹവും ബഹുമാനിക്കുന്നു എന്നാണു്.

എനിക്കു പറയുവാനുള്ളതു ഞങ്ങളുടെ സങ്കടം തീർത്തുതരണമെന്നാണു്: ഞങ്ങൾക്കു നിവൃത്തിയില്ലാത്തതു കൊണ്ടാണു് ഞങ്ങൾ സങ്കടം പറയുന്നതു്. ൫൦ കൊല്ലം മുമ്പു ഈ രാജ്യത്തുണ്ടായിരുന്ന സ്ഥിതിയും ഇന്നത്തെ സ്ഥിതിയും തമ്മിൽ ഒന്നു താരതമ്യപ്പെടുത്തി നോക്കണം. മുപ്പതോ നാൽപ്പതോ കൊല്ലത്തിനു മുമ്പു ൧൦,൦൦൦-ം, ൨൦,൦൦൦-ം ചക്രം കടം കൊടുത്തു ഓലയിൽ പ്രമാണം എഴുതിവാങ്ങിയിട്ടുള്ള ആളുകൾ ഇന്നു ലക്ഷക്കണക്കിനു സമ്പാദിച്ചിട്ടുള്ളതു് ഉൽപ്പന്നങ്ങളുടെ വർദ്ധനവുകൊണ്ടുമാത്രമാണെന്നു അവർ ഓർക്കണം. അതു

ക്കൊണ്ടു പലിശയിൽ കുറവുവരുത്തുന്നതുകൊണ്ടു് അവർക്കു് ഒരു നഷ്ടവും വരാനില്ല. കച്ചവടക്കാരൻ ചരക്കു വിൽക്കുന്നതു കടം വാങ്ങിക്കുന്ന പണത്തിന്റെ പലിശയുടെ കണക്കുകൂടി ചേർത്താണു്. അതുകൊണ്ടു് കച്ചവടക്കാർക്കു് യാതൊരു വിധത്തിലും കൂടുതൽ സഹായങ്ങൾ കൊടുക്കേണ്ട ആവശ്യമില്ല. കർഷകനു് ഉൽപ്പന്നങ്ങളുടെ വിലയിൽ ഒരു പൈസ ഇപ്പോൾ കൂട്ടികിട്ടുന്നില്ല. പണക്കാരുടെ അടുക്കൽ കടം വാങ്ങിക്കാൻ പോയാൽ പലിശ, വട്ടം ഇതെല്ലാംകൂടി ഒരു വലിയസംഖ്യ എടുത്തു കൊണ്ടേ പണം കൊടുക്കുകയുള്ളൂ. പണക്കാരുടെ വീട്ടിൽനടക്കുന്ന ഓരോ ആവശ്യങ്ങൾക്കു കടക്കാർ പല സൗകര്യങ്ങളും ചെയ്തുകൊടുക്കേണ്ടതായിട്ടുണ്ടെന്നു ഈ സഭയുടെ മുമ്പാകെ പ്രസ്താവിക്കേണ്ടിവന്നതിൽ ഞാൻ മനസ്താപപ്പെടുന്നു. ഇതെല്ലാം പ്രൈവററായി ഒരന്വേഷണം നടത്തിയാൽ വെളിപ്പെടും. ഇങ്ങനെ ഒക്കെ ചെയ്യില്ലെങ്കിൽ കർഷകനെ ഉപദ്രവിക്കാനുള്ള സർവശക്തികളും അവരുടെ കൈവശമുണ്ടു്. ഈ പണക്കാർ കർഷകനെ വേണ്ടതു ബുദ്ധിമുട്ടിച്ചു്, ക്രെഡിററു്, കൺട്രാക്ററു്, പലിശ ഈ വക തത്വജ്ഞാനങ്ങൾ ഗവർമ്മെൻറിനോടു പറഞ്ഞു ഗവർമ്മെൻറിന്റെ അഭിപ്രായത്തെ മാററുക എന്ന തൊഴിലിൽ പ്രവർത്തിച്ചുകൊണ്ടിരിക്കുന്നു.

എനിക്കു് ഒരപേക്ഷയുള്ളതു് നിയമം ഉടനടി പാസാക്കിക്കിട്ടണം. അതിനു താമസം നേരിടുന്നുവെങ്കിൽ കോർട്ടു നടപടികളിൽ നിന്നും ഞങ്ങൾക്കു ഒരു തിരുവെഴുത്തു് വിളംബരം മൂലം മോചനംതരണം എന്നുള്ളതാണു്. അനേകം ബാങ്കുകൾ യാതൊരു പണവ്യാപാരവുമില്ലാതെ വെറും കേസുമാത്രം ഫയൽചെയ്തു ഉപദ്രവിച്ചുകൊണ്ടിരിക്കുന്നു. കണക്കുകളും ബാലൻസുഷീററുകളുമെല്ലാം ഭംഗിയായി അയക്കുന്നുണ്ടു്. ആഫീസും ഏജൻറന്മാരും ഒക്കെയുണ്ടു്. എങ്കിലും പ്രധാനജോലി കേസുനടത്തി കടക്കാരെ ഉപദ്രവിക്കയാണു്. ചിട്ടിമുന്നാളന്മാരുടെകാര്യം പറയുകയാണെങ്കിൽ അവർ ചിററാളന്മാർക്കു് കൊടുക്കേണ്ടതായ സംഖ്യക്കു കുറവുകിട്ടണമെന്നാണു് അവരുടെ വിചാരം. മുന്നാൾ കൊടുക്കാനുള്ള പണത്തിനു യാതൊരുവിധത്തിലും ഈടാകാത്ത പ്രമാണങ്ങൾ കൈമാററം ചെയ്തുകൊടുക്കും. എന്നാൽ അവർക്കു് അങ്ങോട്ടു കിട്ടാനുള്ളതു് ഒരു പൈസാപോലും കുറയ്ക്കാതെ ഈടാക്കുന്നു. ഈ സ്ഥിതിയിൽ കോർട്ടു നടപടികൾ തൽക്കാലം നിറുത്തിവയ്ക്കണമെന്നും ഈ ഭയങ്കരമായ വിഷമകാലത്തു് ഞങ്ങളെ കോടതികളിൽ അയച്ചു് വിഷമിപ്പിക്കരുതെന്നും ഞാൻ ആത്മാർത്ഥമായി അപേക്ഷിക്കുന്നു.

MR. P. S. MAHOMED: (*Member, Sri Mulam Assembly*): സർ, ഇന്ന് തിരുവിതാംകൂറിൽ ഒരു ഋണനിവാരണബില്ലിന്റെ ആവശ്യമുണ്ടോ ഇല്ലയോ എന്നുള്ളതിനെപ്പററി ഒരന്വേഷണം നടത്തി ഒരഭിപ്രായം രേഖപ്പെടുത്തപ്പെട്ടിട്ടുണ്ട്. ഒരു ബില്ല് ഉടനടി ആവശ്യമുണ്ടെന്നു ഒരു കൂട്ടരും, ഇപ്പോൾ ഇതിന്റെ ആവശ്യമില്ലെന്നു മററൊരുകൂട്ടരും പറയുന്നതു ഞാൻ കേട്ടു. എന്നാൽ ഒരു സംഗതി എനിക്ക് ഈ സഭമുമ്പാകെ പ്രസ്താവിക്കാതിരിക്കുവാൻ നിവൃത്തിയില്ല. ഒരു ബില്ലിന്റെ ആവശ്യമുണ്ടെങ്കിൽ അതു ഉടനടി പാസാക്കി നിയമമാക്കിക്കൊടുക്കണം. അല്ലെങ്കിൽ ഇങ്ങനെ ഒരു നിയമത്തിന്റെ ആവശ്യമില്ലെന്നു ഇപ്പോൾ തന്നെ തീരുമാനിക്കണം. തിരുവിതാംകൂറിൽ ക്രെഡിററ് ആവശ്യമാണെന്നും ഇവിടെയുള്ള ജനങ്ങളെല്ലാം സമാധാനമായി ജീവിക്കണമെന്നാഗ്രഹിക്കുന്നവരാണെന്നുമാണ് ഇവിടെ നടന്ന പ്രസംഗങ്ങളിൽനിന്നും ഞാൻ മനസ്സിലാക്കിയതു്. ഇവിടെ ഒരു കടനിവാരണബില്ലുണ്ടാക്കാൻ പോകുന്നു എന്ന ഒരു സംസാരം തിരുവിതാംകൂറിൽ മുഴങ്ങിക്കൊണ്ടിരിക്കുന്നു. തിരുവിതാംകൂറിൽ ഒരു കടനിവാരണബില്ലിന്റെ ആവശ്യമുണ്ടെന്നും ഇവിടത്തെ ജനങ്ങളെല്ലാം കടക്കാരാണെന്നും വെളിയിലുള്ളവർ അറിഞ്ഞിരിക്കുന്ന ഈ സന്ദർഭത്തിൽ കടത്തിനു ഒരു പരിഹാരം ചെയ്തിരിക്കുന്നു എന്നുള്ളതു വെളിയിലുള്ളവരെ മനസ്സിലാക്കേണ്ടതാവശ്യമാണ്. അല്ലെങ്കിൽ മി. എം. എൽ. ജനാർദ്ദനൻപിള്ള പറഞ്ഞതുപോലെ വെളിയിലുള്ള പണക്കാർ ഇവിടെ വന്നു സമാധാനത്തോടുകൂടി വ്യാപാരങ്ങളും മററു സംഗതികളും നടത്തുന്നതിനു സംശയിക്കും. ഇന്നു നിലവിലുള്ള കടങ്ങളെല്ലാം ഒരു വിധത്തിൽ അഡ്ജസ്ററു ചെയ്യത്തക്കവണ്ണം ഒരു നിയമം ഉണ്ടാക്കണം. വെളിയിലുള്ള ധനവാന്മാർ ഇവിടെവന്നു അവരുടെ ധനം വിനിയോഗിച്ചു ഈ രാജ്യത്തേക്കു പ്രയോജനകരമായ പ്രവൃത്തികൾ ചെയ്യണമെങ്കിൽ ഇവിടത്തെ കടത്തിനു ഒരു നിവാരണം ഉണ്ടാക്കിയിരിക്കുന്നുവെന്നും അവരുടെ പണത്തിനു ദോഷം വരികയില്ലെന്നുമുള്ള ഒരഭിപ്രായം അവരുടെയിടയിൽ ഉണ്ടാക്കണം. അല്ലെങ്കിൽ ഇവിടെയുള്ളവർക്കു കടമില്ലെന്നും, ഇവിടെ ഇങ്ങനെ ഉള്ള ഒരു നിയമത്തിന്റെ ആവശ്യമേ ഇല്ലെന്നും തീർച്ചചെയ്യണം.

MR. THOMAS CHANDY MUKKADAN (*Member, Sri Chitra State Council*): ഇവിടെ ഇങ്ങനെ ഒരു ബില്ലിന്റെ ആവശ്യമുണ്ടെന്നു മെമ്പർക്കു തോന്നുന്നുണ്ടോ?

MR. P. S. MAHOMED: ഈ രീതിയിൽ സംഗതികൾ നീട്ടിക്കൊണ്ടു പോകുന്നതു ശരിയല്ല.

ഇനി തിരുവിതാംകൂറിനകത്തു തന്നെയുള്ള ക്രെഡിററ് നോക്കാം. ഒരു നിയമമുണ്ടായാൽ കൊടുക്കേണ്ട തുകയിൽ കുറച്ചു കിട്ടുമല്ലോ എന്ന ആഗ്രഹത്താൽ കടക്കാരൻ കടം വീട്ടാതെ കഴിച്ചുകൂട്ടുന്നു. ബില്ലുവന്നാൽ കിട്ടേണ്ട പണത്തിൽ നഷ്ടം വരുമല്ലോ എന്നു വിചാരിച്ച് ധനവാൻ ക്രമത്തിലധികം ഉപദ്രവിച്ചു പണം ഈടാക്കാൻ ശ്രമിക്കുന്നു. ഈ നില തുടർന്നുപോയാൽ കടക്കാരനും കടം കൊടുത്തവനും തമ്മിലുള്ള സ്നേഹത്തിനു ഭംഗം വരും. തിരുവിതാംകൂറിൽ വലിയ സമാധാനമില്ലായ്മ ഉണ്ടാകും. നിയമമില്ലെങ്കിൽ കൊടുത്തു തീർക്കേണ്ടതാണ്, അതുകൊണ്ട് അതെങ്ങിനെയെങ്കിലും കൊടുത്തു തീർക്കണമെന്നൊരഭിപ്രായം ജനങ്ങളുടെ ഇടയിൽ ജനിക്കും. നേരേമറിച്ചു രക്ഷയ്ക്കുള്ള ഒരു മാർഗ്ഗം ഉണ്ടാകുമെന്ന് കാണുമ്പോൾ അതിലേയ്ക്കായി കാത്തിരിക്ക എന്നുള്ളതു സ്വാഭാവികമാണ്.

MR. THOMAS CHANDY MUKKADAN: മെമ്പർ "സമാധാനമില്ലായ്മ" എന്നു പറഞ്ഞതു് മനസ്സമാധാനമില്ലായ്മയോ അതല്ല ആളുകൾ തമ്മിലുള്ള വൈരാഗ്യത്താൽ കലാപമുണ്ടായി രാജ്യത്തു സമാധാനമില്ലായ്മ വരുമെന്നോ, എന്താണ് ഉദ്ദേശിക്കുന്നതു്?

MR. P. S. MAHOMED: മനസ്സമാധാനമില്ലായ്മ സാരമില്ല. ജനങ്ങളുടെ ഇടയിൽ സമാധാനമില്ലായ്മ വന്നേക്കും. അങ്ങിനെവരുമ്പോൾ പല വിഷമങ്ങളും സംഭവിച്ചേക്കാം. അതുകൊണ്ടു ഈ വിഷയത്തിൽ ജനങ്ങൾക്കു യഥാർത്ഥത്തിൽ സങ്കടമുണ്ടെങ്കിൽ—ആ സങ്കടത്തിനു ഒരു പരിഹാരമുണ്ടാക്കിത്തീർക്കാൻ കഴിയുമെങ്കിൽ—അതു ഉടനടി ചെയ്യണം.

എന്റെ സ്നേഹിതൻ മി. തോമസ് ചാണ്ടിമുക്കാടൻ ഈ ബില്ലിന്റെ ആവശ്യം ഉണ്ടെന്നാണോ എന്റെ അഭിപ്രായമെന്നു ചോദിച്ചു. ഈ ബില്ലിന്റെ ആവശ്യമുണ്ടോ, ഇവിടെ കടക്കാരുണ്ടോ എന്നൊന്നും ഞാൻ അന്വേഷണം നടത്തിയിട്ടില്ലാത്തതുകൊണ്ടു സ്വന്ത അനുഭവം വച്ചുകൊണ്ടു് ഒരഭിപ്രായം പറയുവാൻ നിവൃത്തിയില്ല. എന്നാൽ ഇവിടെ കേട്ട അഭിപ്രായങ്ങളും ഗവർമ്മെന്റിന്റെ നിലയും നോക്കിയതിൽ ഇങ്ങനെ ഒരു നിയമത്തിന്റെ ആവശ്യമുണ്ടെന്നുതന്നെ ഞാനും വിചാരിക്കുന്നു. ഋണനിവാരണക്കമ്മിററിക്കാർ നല്ലവണ്ണം ആലോചി

ച്ചാണ് എല്ലാ കടക്കാരേയും സംബന്ധിക്കുന്ന ഒരു നിയമമുണ്ടാക്കണമെന്നു ശുപാർശ ചെയ്യുന്നു. കർഷകരെ മാത്രം ബാധിക്കുന്ന ഒരു നിയമമുണ്ടാക്കുക എന്നുള്ളതു തിരുവിതാംകൂറിലെ ഇന്നത്തെ നിലയ്ക്കു സാദ്ധ്യമല്ല. കച്ചവടക്കാൎക്കു ഈ നിയമം ആവശ്യമില്ലെന്നു പറയുന്നുണ്ട്. എന്നാൽ ചില വലിയ കച്ചവടക്കാർ ഒഴിച്ച് മഹാഭൂരിപക്ഷം കച്ചവടക്കാൎക്കും ഈ നിയമത്തിന്റെ ആവശ്യം ഉണ്ട്. ഇവിടെ കയററുമതിയും ഇറക്കുമതിയും ചെയ്യുന്ന കച്ചവടക്കാരുടെ സംഖ്യ വളരെ കുറവാണ്. വലിയ കച്ചവടക്കാരുടെ പക്കൽനിന്നും ചരക്ക് വാങ്ങി കർഷകൎക്കു കൊടുക്കുന്നതു ഇടയ്ക്കുള്ള കച്ചവടക്കാരാണ്. കർഷകരുടെ കടത്തിനു മാത്രം ഒരു നിവാരണം ഉണ്ടാക്കുന്ന പക്ഷം ഇടത്തരക്കാരായ കച്ചവടക്കാരുടെ കാൎയ്യം കഷ്ടത്തിലാകും. അതുകൊണ്ട് അങ്ങിനെയുള്ള കച്ചവടക്കാൎക്കും സഹായം ചെയ്യണം. ഈ വക സംഗതികളെല്ലാം നല്ലവണ്ണം ആലോചിച്ചിട്ടാണ് കമ്മിററി എല്ലാ കടക്കാരേയും ഉൾപ്പെടുത്തിയിട്ടുള്ളതു. ഇന്നു നിലവിലിരിക്കുന്ന കച്ചവടത്തിനു ഭംഗം വരാതെ സൂക്ഷിക്കേണ്ടതായിട്ടുണ്ട്. ശരിയായ വിധത്തിൽ വിനിയോഗിച്ചാൽ കച്ചവടക്കാൎക്കു വേണ്ട രക്ഷ റിപ്പോർട്ടിൽ ഉണ്ടെന്നാണ് എന്റെ വിശ്വാസം.

കടനിവാരണത്തെ സംബന്ധിച്ച് ജനങ്ങളുടെ ഇടയിൽ നിന്നു വന്നിട്ടുള്ള അഭിപ്രായവും ഗവർമ്മെൻറിന്റെ അഭിപ്രായവും ഈ ബില്ലു കൊണ്ടുവന്നു നടപ്പിൽ വരുത്തണമെന്നുള്ളതാണ്. ഇവിടെ വലിയ കടക്കാരും ചെറിയ കടക്കാരും ഉണ്ട്. ഈ രണ്ടു കടക്കാൎക്കും ഒരേ രീതിയിലുള്ള സഹായംചെയ്യുന്നതു ശരിയാണോ എന്നുള്ള ദിവാൻ പ്രസിഡൻറിന്റെ അഭിപ്രായം ആദരണീയമാണ്. അപ്രകാരം കുറെ ആളുകൾക്കു റിലീഫ് നൽകാതെ വിട്ടുകളയാം എന്നു വിചാരിക്കുന്നതും ശരിയല്ല. വമ്പിച്ച കടക്കാരധികവും സ്വത്തുകാരാണ്. അവരുടെ കടം തീക്കുന്നതിനുള്ള സ്വത്തു അവൎക്കുണ്ട്. അവർ ഇവിടെ കടക്കാരാകുവാൻ കാരണം പലിശ വാങ്ങിക്കുന്ന ഒരു കൂട്ടർ, ഇവിടുത്തെ ബാങ്കുകാർ, അമിതമായ പലിശ കിട്ടണമെന്നുള്ള ആഗ്രഹത്തിന്മേൽ ഈ സമ്പത്തുകാരെ പ്രേരിപ്പിച്ചതിന്റെ ഫലമാണ്. അതുകൊണ്ട് അമിതമായ പലിശ വാങ്ങിച്ചവരുടെ മേലും കുററം ചുമത്തേണ്ടതാണ്. വലിയ കടക്കാരുടെ സ്വത്തു മുഴുവനും വാങ്ങിക്കുവാൻ ഇന്നു ആളില്ല. ചെറിയ കടക്കാൎക്കു കൂടുതൽ സൌകൎയ്യമുണ്ട്. അതിനാൽ ന്യായമായ വിലവച്ച് വലിയ കടക്കാരുടെ സ്വത്തു കടം കൊടുത്തവർ വാങ്ങിക്കത്തക്കവണ്ണമുള്ള ഒരു

വ്യവസ്ഥ ചെയ്യണം. ഇങ്ങനെ വരുമ്പോൾ തിരുവിതാംകൂറിലെ വസ്തുക്കൾക്കുതന്നെ വില വർദ്ധിക്കും. പത്തോ പന്ത്രണ്ടോ കൊല്ലംകൊണ്ടു കടം തീർക്കുന്നതിനു അവരെ അനുവദിക്കയും, അതിനും നിവൃത്തിയില്ലാതെ വരുമ്പോൾ സ്വത്തു എടുക്കുന്നതിനു വ്യവസ്ഥചെയ്കയും വേണം.

തിരുവിതാംകൂറിലെ ക്രെഡിററിനു ഈ ബില്ലുകൊണ്ടു യാതൊരു ദോഷവും വരികയില്ല. നേരെമറിച്ചു ക്രെഡിററ് ഇന്നത്തേക്കാൾ കൂടും. അതിനാൽ കഴിയുന്നത്രവേഗത്തിൽ ഇതിനു ഒരു പരിഹാരം ഉണ്ടാക്കണം. കോർട്ടിൽ നടന്നുകൊണ്ടിരിക്കുന്ന വിധിനടത്തുനടപടികളുടെ സ്വഭാവം അതിഭയങ്കരമാണ്. അതു നിറുത്തിവയ്ക്കണമെന്നു ഞാൻ അഭിപ്രായപ്പെടുന്നില്ല. ഈ നിയമം ഉടനടി പാസാക്കി റിലീഫ് ഉണ്ടാക്കി കൊടുക്കണമെന്നുമാത്രമാണ് ഞാൻ അഭിപ്രായപ്പെടുന്നതു്.

Mr. E. SUBRAMONIA AIYAR (*Member, Sri Mulam Assembly*): Sir, it is rather with great diffidence that I approach this problem which is engaging or which should engage the attention of the legislature of this State. The problem as was already pointed out is a too intricate one. It appears to me that it is not one which is capable of being solved by pure logic. In other words I must say no useful purpose will be served by invoking the obligations of contracts, or the sanctity of contracts or the necessity of making a person to keep faith and to keep his promises. I say that with a certain amount of confidence, for, however a legal relationship might have come into existence, either voluntarily or involuntarily, that relationship is one which is within the power of the law to regulate and in certain cases will have to be regulated by law. In other words, it is extremely difficult to me it appears so—to draw a line between acts which affect one individual and one individual alone and none else and acts which affect others and others as well. In fact there is no meaning in saying there is what is called the creditor class and there is a debtor class, and that the matter should be viewed from the stand point of the creditor or from the stand point of the debtor. Once you pose it as law and settle the assets and liabilities of the parties *inter se*, probably and certainly it may be the function of the lawyer and the Judge to study and define and then adjudicate upon the relations *inter se* of the parties. But that is not the function of a legislature. The legislators' attempt is to attach the consequences to the relationship which had been brought into existence either in the past or which may be brought into existence in the future. Both the creditor and the debtor are the component parts of the society of the State to which they belong.

[The House adjourned at 1 p. m. and reassembled after lunch at 2 p. m.]

Mr. E. SUBRAMONIA AIYAR: Sir, I was submitting that we should not be afraid of touching what is called contractual relationships if, in the interests of the country it is essential. It is just like any other

legislation which may require modification, adjustment and even change, in view of the new situation caused by the recent developments in the society. For instance, we know that the society has insisted that marital relationships should endure for life. But change of moments and change of conditions and outlook on life brought on post-war tendencies, and such influences warrant a re-examination of the institutions and even marital relationships must be re-examined with a view to build a new order of civilisation. To quote one of the jurists, so far as contracts are concerned "The idea that men can fix their rights and duties is, from its early days, an unruly and anarchical idea. If there is to be any law at all, contract must be taught to know its place." So, unless we are going to teach contract its place in the legal system it is to be feared that there will be no law at all. Acts, no doubt, are on account of traditional outlooks brought on by the tendency of the existing world to regard that absence of certain restraint to be good in themselves, And this is applicable to social thoughts, political thoughts, in religious thought and for that matter, in all forms of thinking. At one time we may think that absence of restraint is good. We may say that if the innate tendency of man is good it must be allowed. But another set may say that the innate tendency of man is bad and so restraint must be put. But truth lies somewhere in the middle. So, with reference to the present day conditions and state of affairs if a fresh adjustment of the relationship between the creditor and debtor is required, well, there is no question of interfering with the sanctity of contract or contractual relationships. History may be invoked to suggest that there was no precedent like a legislation of this sort. History may also be sought to support the logic of it. No doubt, very convincing arguments may be put forward to maintain the legality of non-contractual relations. If I enter into a contract with another today, I do it with reference to the law which prevails today. The content of that contract must be determined with reference to that law. Any new law which diminishes the content either by wordly or other interference may be said to be an encroachment upon the rights of the party. The logic, I may say, is really impeccable. But logic may be subject to the pressure of events. And, therefore an attempt of this House to solve the problem by logic or by citations from precedents or by what has been done in the past may not be a very successful attempt. We are to deal with the present and certainly, the past will help us to find out a solution. But all policies which regulated life in the past need not be sound policies of judgment. Historical associations of the past may guide us. But the past should not control us. And therefore we have to take account of the new conditions which have come into existence during the last 10 or 20 years and certainly we must take into account the future also. So, my submission is, that we should not be carried away by these logical principles. If we go to precedents themselves, can we say that there had not been any interference with the legislation or otherwise with

the relationship of the creditor and debtor. But that may not be in this particular form. Perhaps so far back as twenty thousand years something might have occurred in this direction. We need not go into those past histories. But one thing we must note, *i. e.*, relief in some form has become necessary for the debtors. After all, what is this solvency law? This law has been in existence for years. But this is not a law for the relief of debtors. I know, and I have read the reasonings of eminent judges with regard to the need for this law, when it was promulgated. They say that those laws are not defencible on moral principles. To discharge a debtor completely will offer a premium for recklessness. They said that they are vicious and so on and so forth. Nevertheless the insolvency law has been adopted by various countries. Now, the rule is that insolvency is a most equitable law, because in legislation we are not concerned with the material inanimate force. We are dealing with the liability of every individual in the State keeping in view the fact that every individual is a useful citizen. And all these laws are of human element. This human element should help us in coming to a determination of a particular question. I do not mean to say that all debtors must be relieved of their debts, or the creditors must be helped. That is not at all my point. My point is, that, are we convinced that there is maladjustment of relationship between the creditor and the debtor? If there is maladjustment certainly, we must go to their rescue and bring about better relationship. No doubt, there is the credit economy structure to be taken into consideration. It is a very complicated one. As my friend Mr. S. Krishna Aiyar has pointed out we are not experts in the matter. Perhaps Professor Keynes or Professor Shaw may be able to throw light on that. I do not presume to be an economic expert. But from my experience based on common sense I can only say that it is a complicated system. But one thing I have realised. It is that the credit system is built upon public confidence. Therefore any legislation which will interfere with the foundation of the credit economy will certainly bring about disaster. That was the point which was emphasised by Mr. S. Krishna Aiyar, if I understand him right. He said that public confidence will be destroyed if credit is interfered with. Well, that is a question which we are examining anxiously. If relieving a few debtors or the whole debtors will bring about the desired result or if it is better that the debtors remain as they are questions that ought to be examined. The statistics themselves some times may be uncertain guide in this matter. But there is one other point which may be kept in mind. That is, this present system of public confidence rests upon rules relating to private right. That is what we find. This structure is kept together by certain rules and codes of private right. Now, is there any elasticity in these rules at all? We have got rigid rules now relating to credit with reference to public confidence. The real question is whether there is elasticity in these rules. If these rigid rules are allowed to remain will this system

collapse? If the system is weakened by the acceleration of the rigidity the system will collapse. Elasticity may in prosperous times injure credit if the structure is weak. The question put forward is this. Does the economic structure of the country show such a sign of weakness? If you feel that the rigid rules will make the system collapse, I dare say, that it is for you to make these rules less elastic. I do not think I need go further on that point. I wish to make a few observations on the practical side of the question.

After all, Sir, what is it that is now being attempted? What is the real substance of the remedy that is being proposed? Much has been said about what has been called setting a premium upon the debtor's not repaying the debt, or being absolved of his obligation. To me it appears that so far as the report of the Committee is concerned they have bestowed anxious thought over the whole question, so that their views are entitled to very careful consideration at the hands of every honourable member assembled here. It is not the creation of the intellect of X or Y. Anxious and careful consideration on the part of several responsible men has brought about this valuable document, so that great weight has to be attached to it.

Now, what is it that the committee has recommended? Has the principal been touched? So far as I can see, the principal has not been touched. I am not obivious of certain suggestions for scaling down the principal by 10 per cent or 20 per cent in certain cases: but even in such cases, it remains to be seen whether, in spite of such scaling down the principal will be affected. I am only saying that, so far as the general scheme goes, the committee has not touched the principal at all. So then, it is only the interest that they propose to touch. Therefore, it is not really a question of asking the debtor not to pay the debt, the amount which he actually borrowed; what is sought to be affected is only the additional amount which also he has agreed to pay to the creditor.

Now, let us examine the question in close quarters. Are we right in interfering with the interest which a person has stipulated to pay? Will that affect credit? In considering these questions, we must draw a distinction between past, present and future transactions; and, as has been pointed out, some distinction may have to be drawn also between trade debts and other kinds of debts. So far as Travancore is concerned, if in a legislation of this kind we exclude trade or other special debts, whom will it help? I am speaking subject to correction by other honourable members. But, may I ask whether in Travancore you have got what may be called the peasant population as such? I am seriously asking the question whether we have any such class of persons who are burdened by debt, who form the backbone of the country and who therefore have to be relieved of their debts in the larger interests of the country. No doubt, agriculture is the mainstay of the people of Travancore. But, it cannot be said that we have what may be called the peasant class as such in Travancore. The position would certainly have been different if we had tenancy legislation here, and

people who had merely occupancy rights over lands, and that without permanency. If we had such class of peasants here, there would be no doubt that they must be helped. But, in Travancore, we have not got such peasant class as such. The proposed legislation will really help only what may be called the middle-class land-owners of Travancore; let us not shut our eyes to that. No doubt, there are the agricultural labourers; there are also the *venpattom* tenants. These, we can exclude from our present discussion since the former do not owe any debt worth mentioning, and the latter are not attached to any particular land or to any particular land-owner for any considerable period. Now, as I said, it is the middle-class land-owner that will be helped by the proposed legislation.

In regard to the question of past, present and future transactions, let us consider what distinction we can make between these transactions. There are also the trade debts which perhaps require special treatment. There is no doubt that trade debts must be returned as quickly as possible. It is well known that much of our trade and commerce is carried on with borrowed money. Therefore, how can any creditor allow any trade debt to remain unpaid for 20 years or even 10 years? That is something really incomprehensible, because money must be rapidly flowing in order that there can be a flourishing trade in the country. Trade debts therefore can never be allowed to accumulate for years together. No one can countenance such a state of affairs. In regard to the question of future interest therefore, certainly a clear distinction should be drawn between trade and other debts. In fact, as I began by saying, no useful purpose will be served by fighting out the moral aspects of this question of interest. Books are replete with learning on the matter; if you trace the history of interest, it will certainly be very interesting. In the early days interest was prohibited. Why, one might ask. In those days money, was lent either in times of dire need or to aid recklessness; money lending was done only as a matter of neighbourly kindness. It was therefore considered not moral to demand any interest. If you have lent money when your neighbour was in dire need, where is the meaning in your demanding interest? Similarly, if you have lent money to help recklessness, then also it is not fair that you demand any interest.

Now, take for instance my own case. Suppose I have earned a lot of money and I retire with such capital and lend it to others for interest. Certainly, that is not the best way of utilising capital; because, if one has brains and the energy, certainly, he can invest his money in some good industry or trade; in fact, it is for that purpose that the person who borrows my money so borrows it from me. And, money by itself, without the work of the labourer, cannot yield anything. Therefore, the proper thing would be for a healthy combination of capital and labour in order that industries, trade and commerce can flourish. And, it is only when trade and commerce develop that money gets its value. Apart from money, we do require the man with enterprise, the person who is prepared to take some risks and to start some industry or trade. Fortunately, we have in society such men in large numbers; because, the acquisitive instinct is strong in all of

us; people certainly are not satisfied with what they have, and do want to become richer. In fact, even millionaires are not satisfied with their millions; they want more. And, coming to the young men of the present generation —with due respect to them—not only do they want to become rich, but they want to do so overnight; they are not prepared to wait for long years. That temperament makes it all the more difficult for us to draw any sharp line between the ordinary trader in the country and the speculator; because, to some extent, every one is now a speculator. These are days of adventure and gamble. I should not be understood as suggesting that recklessness, gambling or speculation should be encouraged. But I only point out how it is difficult now-a-days to draw a line between the ordinary trader and the speculator. I must say, Sir, that the position has come to this: if a person succeeds in his business, he is recognised as a businessman, if not, he is dismissed as a speculator.

Having dwelt at length on the various aspects of the question, I think it is now too late in the day to argue that it is not fair to claim any interest for moneys advanced; because, money *has* acquired a certain value. If A has advanced money to B, certainly B must be called upon to pay also some interest to A. I may perhaps point out that, although money by itself may not have much value, money combined with time, especially in these days, *has* very great value. In modern times, time is of the essence in many matters; time has special value. Therefore, if I allow another person to utilise my money for a particular period of time, certainly I am entitled to some additional amount for such period of time, over and above the money I had actually advanced. Money plus time has great value. Therefore, it is not fair that the legislature should say that no interest need be paid.

So far as Travancore is concerned, we *have* been exercising the power to regulate interest. According to Hindu Law, the amount realisable by way of interest shall not exceed the principal. According to Travancore Law such amount shall not exceed half of the principal if and when interest is realised through a court. Therefore, Sir, we *have* been regulating interest; that right we have reserved to ourselves. Probably, even now, the industry, trade, and commerce of Travancore have not expanded to such an extent as to allow individual freedom in the matter of money transactions; it is perhaps necessary, for some time to come, to regulate interest.

Throughout the world, Sir, even where such absolute freedom is allowed to individuals, the State interferes in time of emergency, such as war; and various devices are adopted by the State. One such well-known device is moratorium. What we are now thinking of, namely the scaling down of debts or the reduction of interest, would be another such device. In having recourse to such device, we shall not indiscriminately apply it to all debts, trade debts and commercial debts also. Certainly, that will affect credit, and industrial and commercial progress and expansion without which the country cannot prosper. Therefore my considered view is that, in regard to future transactions, a definite rate of interest should be fixed by us.

So far as future transactions are concerned, nothing short of 6 per cent will be sufficient compensation for the money lent by one person to another. With regard to past transactions, it is a different matter altogether.

Coming to the classes of debtors and the classes of creditors, no doubt only those who require relief must be relieved. Why should persons who do not require any relief be relieved? I use the word relief in the broadest sense possible. If a man is so encumbered by debts that his personality has been weakened very much and that he will not be of any use to the country at large, he certainly stands in need of relief. The real test would be whether in the case of a citizen who rightly or wrongly by adopting a particular course of conduct has become encumbered by debt we can make him a better citizen by relieving him to some extent.

As regards the classes of debtors, rich debtors and poor debtors, and the question whether the quantum of debt will be the determining factor, I feel some doubt. For instance, there is a person worth Rs. 30,000. He has got debts only up to Rs. 4,000. If we say that debts not exceeding Rs. 5,000 should be relieved against, then this man will get relief. But is he in justice, fairness and morality entitled to such relief? Another man whose property is worth only Rs. 6,000 has debts amounting to Rs. 5,500. Such a man will go without any relief. So in dealing with that question, I am not at all for giving relief to all people indiscriminately. If they do not require relief, no relief should be given to them. In determining that question we should always be guided by the capacity of the debtor to pay. It was pointed out that in the case of 95 percent of the debtors, the maximum amount of the debt will not exceed Rs. 5,000. We have got the remaining 5 percent of the debtors. Now what are their assets and liabilities? We have to examine them and see if the assets minus the liabilities will be sufficient to rehabilitate the debtor. In such a case the debtor does not require any relief whatsoever. If on the other hand his liabilities exceed his assets, my friends may ask why not he invoke the assistance of the Insolvency Court? In the western countries, in England and elsewhere, insolvency is not the only method of rehabilitating a man. There is the compensation of creditors which may become valid under the law under certain procedure. We have analogous provisions in the Companies' law. Thus we see that various devices are attempted by law to rehabilitate individuals and institutions without driving them to have recourse to insolvency proceedings or winding up proceedings which carry with them a certain amount of stigma. A person who has been in a good position will not go into voluntary liquidation. He will be forced to go into liquidation at the instance of a creditor and then the administration of his estate will be very cumbersome. The idea was that first insolvent traders and then debtors generally must be relieved. Later on avoiding the stigma attaching to insolvency proceedings some other method is adopted by which something is given to the debtor so that he may re-start life.

So, the real question is, does Travancore require legislation for adjusting the relationship between debtor and creditor classes by which the debtors will be enabled to pay what they can without being compelled to go to an Insolvency Court? That is the point which arises for consideration. Otherwise there is no necessity for any relief, if every person can go to an Insolvency Court? After all if you get a decree what is the method of realising the money? The only thing from which it can be paid is the property. My friends may say that arresting the son of a rich father or the father of a rich son might induce the father or the son to find the money and pay it to the creditor. But such methods have more or less become obsolete and practically useless. Ultimately the idea is that if the debtor does not pay, the debtor's property must be made use of for the purpose of paying the creditor. So in the matter of this legislation what appears to me is that it is only adopting a course short of Insolvency proceedings. I do not see why such a procedure should not be adopted.

Coming to the rich and the poor debtors, the question really for us to consider is whether a particular class alone should have the benefit or whether all debtors should have the benefit. Looking at it from the moral point of view, experience shows that the favouring of a particular class or the excluding of a particular class will lead to corruption. At the same time, if as a matter of fact a man is able to pay his debts I do not see why he should get any benefit. Here again there is the practical difficulty in making a discrimination. If the legislature can devise a machinery wich will enable us to make that discrimination, I for one will say-let not the person who has got the capacity to pay be given the premium not to pay. But the difficulty of devising such a machinery may be very great.

Coming to the accumulated debts I have to say a word, in view of the remark of the Dewan-President that the courts and the lawyers have been to some extent responsible for it, in spite of the efficient working of the courts in this country. Sir, one point has always attracted my notice in these matters, not in the disposal of cases but in the disposal of execution applications. I am speaking from experience. A good deal of the trouble in execution matters is no doubt due to the want of diligence on the part of the decree holder. The decree holder puts in application for execution just to see that the time bar is removed. He then comes to the court three or seven years hence with another application saying that his former application was not properly disposed of, that the present application should be taken as a continuation of the prior application. Because we are paid, we take up the position that it is only a continuation. Sometimes we argue the *contra*. In ordinary cases if the decree holder is vigilant, a good deal of these debts would not have accumulated. I am also aware of the cases in which the debtor has put forward dilatory tactics availing himself of the provisions of the Civil Procedure Code and other laws and made the court helpless in enabling the decree holder to realise his money. Certainly some of us also have to plead guilty to the

charges of helping the debtor in his tactics, for the simple reason that it is our profession to do so. If the Government can devise a machinery whereby all these technical difficulties which bring about dilatoriness in execution proceedings at least could be removed much relief can be given.

PRESIDENT : One method might be to fix separate court fees and lawyer's fees for execution proceedings.

MR. E. SUBRAMONIA AIYAR : I was about to make that suggestion. The young lawyers who have got the time and the convenience may attend to execution applications and they may be enabled to make a living out of it.

MR. G. NARAYANA AIYAR (*Member, Sri Chitra State Council*): May I know from the honourable member whether the want of proper attention on the part of lawyers is due to the low scale of fees for execution proceedings?

MR. E. SUBRAMONIA AIYAR : Yes. I know that persons like Mr. Narayana Aiyar and myself may not care to appear in connection with execution proceedings because the fee is only one percent of the total amount. So, I was suggesting that a reform in that direction was due whereby the juniors who will be satisfied with smaller remuneration and with a living at the bar may be given the opportunity of taking up execution work and helping the decree holders in realising the decree amount. I will sound a note of warning to the decree holders also in this connection. Let them not be penny-wise and pound-foolish. They may not like to give Rs. 5 to the vakil who appears for execution proceedings but will have recourse to dilatory tactics and in so doing will spend more money, when it comes to the arrest of the judgment debtor.

PRESIDENT : It is only a kind of handicap race between the decree holder and the judgment debtor in which the process server has to see who pays more.

MR. E. SUBRAMONIA AIYAR : We cannot have in the society in which we live a perfect or ideal system. Let us at least minimise as far as possible the disadvantages that arise at present. So, in that direction also much relief could be given.

No doubt, a few instances were referred to in the dissenting note of Mr. Joseph with regard to the auction sale of properties. I shall refer to a hundred instances where creditors have not been able to get any pie in their decree on account of the obstruction and dilatory tactics of the judgment debtors. These depend upon the individuals. We are not here concerned with small individual cases. We know as a matter of fact, that money obtained in an auction sale of property may not come up to the level of the actual value of the properties. But one point in Mr. Joseph's argument is worthy of note, namely, the difficulty of finding bidders for these properties sold in auction. There may be persons who may be willing to purchase a few plots of lands or a paddy field. But, when it comes to the question of a big rubber estate,

there is not many who can come forward as a buyer. This circumstance, in fact, must make the debtor more energetic, especially in the matter of finding out persons who will help him in the discharge of his debts. It can therefore be said that they are not encumbered by these methods and every effort must be made by them to see that all these creditors are paid.

I have very little to add to what I have already stated. One word about the co-operative societies. This is a matter in which I profess to claim some experience. Sir, I have heard the old adage 'Hell is paved with good intentions', and to be accurate, 'roofed by lost opportunities'. I may say the same with respect to the co-operative societies. It was our belief that these co-operative societies will be a source of help to the poor people of the State, that it will bring about mutual help and mutual sympathies and enable poor people to stand upon their own legs and escape from the clutches of the so -called money lenders. But if you go to the bye-laws of the societies, you will find the rate of interest fixed is not in any way inferior to the rates fixed by the money lenders of today, not to speak of the penalty imposed by the society. But, that is not my point. Look at the number of people who have become debtors by the inauguration of the co-operative movement. The ordinary money lenders will not lend money easily. They will see to the credit of the individual and pester him with all sorts of questions to know his real state of affairs. It is very often seen that he asks for the purpose of the loan and many other questions and it is only then that he thinks of advancing an amount far below that for which the application has been made by a person. But things are slightly easier in the co-operative societies. There is a rule that you must have two sureties if you are to be given a loan. I may be a clerk drawing Rs. 35. If I require some money all that I have to do is to produce two sureties, my fellow clerks, and apply for the loan. Being associates, my fellow clerks follow me and the three persons go and receive the money. This operation goes on in all the societies. I would therefore say, without meaning any offence to anybody, that most of the debts contracted by the subordinate members of the Government service have their debts contracted in this way. I do not want to refer to instances where persons occupying a higher position have borrowed money on the credit of the clerks below them, as well. I have been trying my best to see that some of these evils are eradicated. But I have met with absolute failure. I therefore do not see why these co-operative societies, even though they are the pet creatures of the Government, should require any fondling or fostering at the Government's hands. By encouraging these people, you are not going to relieve anybody. The sooner the axe is laid at the root of these societies, and the societies constituted on a different basis, the better will be the advantages accruing from the co-operative movement. Let money lending operations be taken away from the purview of these societies. Let there be no rule whereby a person can borrow money merely by the production of the signatures of two of his friends. In fact, if you

take coo-perative indebtedness, it will alone come to a very great figure. So, I am not for the exclusion of any institution from the relief. Let us proceed on another basis. On the other hand, if my friends think that the capitalist structure is still stable and that it does not show any signs of weakness or that the structure regains its stability and strength let us not disturb it. Let the fittest survive.

The Government have already said that there is a necessity for this. That seems to be the considered view of the Committee. What we have to think is to what extent and in what form the real machinery should work. Attention should also be given to the machinery for the liquidation of the debts. You may have a very good law on the statute book. But the efficacy of that law will depend upon the machinery invented for the purpose of applying that law. Hence it is a truism that in the matter of this machinery one must be very careful to point out that Government must raise large amounts of money and discharge the poor debtors. I am not able to say a definite opinion in regard to this machinery. It is for the expert to say whether that is the right course or not. Whether by this, individual creditors should become debtors of the Government or not, is a matter which must engage the attention of the Government. Mr. Krishna Aiyar referred to America and the conditions in that country. But America and Travancore are poles apart. America may be a wealthy country, Travancore is not so. If Travancore assumes the obligations of those poor debtors on the security of their immovable property on a reduced scale, I do not know whether these poor debtors will be ultimately able to pay off their debts. That is also a serious problem. No doubt, it may be a sort of temporary relief for them. I say, in the matter of assuming liability of all the debtors, the attention of Government should be well concentrated, for, after all, so far as the creditors are concerned, they must get back the money and if money is not forthcoming, they must get assets to the value of the money. Compulsory liquidation of the debts probably will serve the needs of the debtors rather than allowing these debtors to continue as debtors on a smaller scale.

MR. THARIATHU KUNJITHOMMEN (*Member, Sri Mulam Assembly*): ചില വർഷങ്ങളായി പൊതുജനങ്ങളുടേയും നിയമസഭയുടേയും ഗവണ്മെൻറിൻറയും ശ്രദ്ധക്കു വിഷയീഭവിച്ചുകൊണ്ടിരിക്കുന്ന അതിപ്രധാനമായ ഋണനിവാരണ പ്രശ്നത്തിനു ഉടനടി നിയമം മൂലം പ്രതിവിധി ഉണ്ടാക്കുവാൻ നിശ്ചയിച്ചിരിക്കുന്നതിനാൽ ഈ കാൎയ്യത്തെ സംബന്ധിക്കുന്ന ചില പ്രധാന വിഷയങ്ങളെക്കുറിച്ച് സഭയുടെ അഭിപ്രായം അറിയണമെന്നും സഭയുടെ അഭിപ്രായത്തെ പ്രത്യേകം പരിഗണിച്ച് നിയമം ക്രോഡീകരിക്കുവാൻ വിചാരിക്കുന്നു എന്നും ഗവമ്മെൻറിൽനിന്നും പ്രസ്താവിച്ചതിൽ ഈ സഭാവാസികൾക്കുമാത്രമല്ല ജനങ്ങൾക്കു പൊതുവെ സംതൃപ്തിയ്ക്കും സമാധാനത്തിനും വഴിയായിട്ടുണ്ട്. സഭയുടെ അഭി

പ്രായം അറിയണമെന്നു ആവശ്യപ്പെട്ടിട്ടുള്ള പ്രധാന സംഗതികളെപ്പററിയ എൻെറ അഭിപ്രായം ഇവിടെ പ്രസ്താവിക്കാമെന്നു വിചാരിക്കുന്നു. തിരുവിതാംകൂറിലെ പരസ്പരസഹായ സംഘക്കാരുടെ കടംകൂടി ഈ നിയമത്തിൻെറ പരിധിയിൽ ഉൾപ്പെടുത്തണമൊ? പലിശ കുറയ്ക്കുക, മുതലിൽത്തന്നെ കുറവുചെയ്ക എന്നീ സംഗതികൾ എങ്ങിനെ സാധിക്കണം? അധികം കടം വാങ്ങീട്ടുള്ളവക്കും മററുള്ളവക്കു ചെയ്തുകൊടുക്കുന്ന സൗജന്യം ചെയ്തുകൊടുക്കണമൊ, എന്നിങ്ങനെയുള്ള കാര്യങ്ങളെക്കുറിച്ചാണ് സഭയുടെ അഭിപ്രായം അറിയണമെന്നാവശ്യപ്പെട്ടിരിക്കുന്നതു്. ഇതിൽ ഓരോന്നിനെപ്പററിയും പ്രത്യേകം അഭിപ്രായം പറയാം. ഇവിടത്തെ പരസ്പരസഹായ സംഘങ്ങളുടെ കടത്തെക്കൂടി ഇതിൽ ഉൾപ്പെടുത്തേണ്ടതു് അത്യാവശ്യമാണ്. നിയമംകൊണ്ടുള്ള ഗുണം ഈ രാജ്യത്തെ എല്ലാ പ്രജാസംഘങ്ങൾക്കും ഒരുപോലെ അനുഭവിക്കുന്നതിനുള്ള സൗകര്യം ഉണ്ടാക്കിക്കൊടുക്കേണ്ടതാണ്. അങ്ങിനെ ചെയ്തില്ലെങ്കിൽ ധനവിനിമയത്തിനും കുഴപ്പം ഉണ്ടാകുന്നതാണ്. പണം സർവത്ര കറങ്ങിക്കൊണ്ടിരിക്കുന്ന വസ്തുവാണ്. കച്ചവടക്കാരൻെറയും വ്യവസായിയുടേയും കർഷകൻെറയും കയ്യിൽ പണം സർവത്ര മാറിമാറി കറങ്ങിക്കൊണ്ടിരിക്കുന്നതിനാൽ—ഓരോ സ്ഥാനത്തു ഓരോ വിധത്തിലുള്ള പലിശക്രമം വയ്ക്കുകയാണെങ്കിൽ—പണവിനിമയത്തിനു വളരെ കുഴപ്പം സംഭവിക്കുന്നതുകൂടാതെ തൊഴിൽപരമായ അഭിവൃദ്ധിക്കു വലിയ വിഘാതവും ഉണ്ടാകുന്നതാണ്. ഏതു തത്വത്തെ അടിസ്ഥാനപ്പെടുത്തി പലിശയും മുതലും കുറക്കുന്നുവോ ആ തത്വം എല്ലാവരേയും ഒരുപോലെ ബാധിക്കുന്നതാണ്, ഉൽപ്പന്നങ്ങൾക്കു വിലകുറഞ്ഞുപോയി എന്നു പറഞ്ഞാൽ പണത്തിൻെറ വിലകൂടി എന്നാണ് ഗ്രഹിക്കേണ്ടതു്. ഒന്നോ രണ്ടോ ഉൽപ്പന്നങ്ങൾക്കു വില കുറഞ്ഞതുകൊണ്ടുമാത്രം പണത്തിൻെറ വില കൂടുകയില്ല. പണം എന്ന വസ്തു സാധ്യത്തിൻെറ സാധനമാണ്. ഈ നിലയിൽ നോക്കുമ്പോൾ സാമ്പത്തികവിഷമം വരുന്നതിനു മുൻപു നൂറു രൂപകൊണ്ടു സാധിക്കാവുന്ന കാര്യങ്ങൾ ഇന്നു അൻപതു രൂപകൊണ്ടു സാധിക്കാം. മുമ്പിലത്തെ നൂറുരൂപയ്ക്കു തുല്യമാണു ഇന്നത്തെ അൻപതുരൂപാ. പണം ആരുടെ കയ്യിലിരുന്നാലും അതിനു എല്ലാം ഒരുപോലെ വില കൂടിയിട്ടുണ്ടു്. ഒരു രൂപകൊണ്ടു സാധിക്കുന്ന കാര്യം ഇന്നു് അര രൂപകൊണ്ടു സാധിക്കാവുന്നതാണ്.

MR. M. K. ANANTA SIVA AIYAR (*Member, Sri Chitra State Council*): പവൻെറ വില കൂടിയിട്ടുണ്ടു് എന്നുള്ള വിവരം അറിയാമൊ?

MR. THARIATHU KUNJITHOMMEN: സ്വർണ്ണം ആഭരണങ്ങൾക്കുള്ളതാണ്, അതുകൂടാതെ കഴിക്കാം. ആഡംബരത്തിനല്ലാ ആവശ്യത്തിനു്

പ്രാധാന്യം നൽകണം. കുരുമുളകിന് മുൻപു കണ്ടിക്ക് ൩൦൦ രൂപ വിലയുണ്ടായിരുന്നത് ഇപ്പോൾ ൻ൦ രൂപയായിട്ടുണ്ട്. ഒരു പറ നെല്ലിനു ൧ രൂപ വിലയുണ്ടായിരുന്നതു ഇപ്പോൾ ൧൨ ചക്രമായി. റബ്ബറിൻെറ വില ൩ രൂപയായിരുന്നതു ൮ അണയായി. നാളികേരത്തിൻെറ വില മുൻപിലത്തേതിൽനിന്നും മൂന്നിലൊന്നായി കുറഞ്ഞു. ഇങ്ങനെ മിക്ക സാധനങ്ങൾക്കും അവ വിളയുന്ന ഭൂമിക്കും വില കുറഞ്ഞു. ഈ വിധത്തിലുള്ള കുറവുകളെ ശരിയായി കണക്കാക്കുമ്പോൾ ൧൦൦ രൂപയുടെ സ്ഥാനം ഇപ്പോൾ മുപ്പതൊ മുപ്പത്തഞ്ചോ രൂപയ്ക്കുണ്ട്. പവൻെറ വില കൂടിയിട്ടുണ്ട് എന്നു ഇവിടെ പറഞ്ഞു. ഏഴര മാററുള്ള പത്തുരൂപാതൂക്കം സ്വർണ്ണത്തിനു പകരം പത്തരമാററുള്ള സ്വർണ്ണമാണ് കൊടുക്കേണ്ടതെങ്കിൽ ഏഴു രൂപാതൂക്കം കൊടുത്താൽ പോരയോ. മാററിനാണ് വില കൽപിക്കുന്നത്. ഈ നിലയിൽ പത്തിനു ഏഴ് എന്നുള്ള കണക്കിനു തുകകളെ സർവത്ര കുറവു ചെയ്യുന്നതിൽ അനീതിയില്ല. ചെയ്യാൻ ഉദ്ദേശിക്കുന്ന കുറവു എല്ലാവർക്കും ഒരുപോലെ ചെയ്യേണ്ടതും ന്യായം മാത്രമാണ. തൊഴിലാദായത്തെ അടിസ്ഥാനപ്പെടുത്തിവേണം പലിശ നിരക്കു നിശ്ചയിക്കുവാൻ. ഒരാളിൻെറ പണം വാങ്ങി തൊഴിൽ ചെയ്താൽ മുപ്പത്താറു ശതമാനം ലാഭം കിട്ടും. അതിൽ ഇരുപത്തിനാലു ശതമാനം തൊഴിൽ ചെയ്യുന്നവനും പന്ത്രണ്ടു ശതമാനം പണമുടമസ്ഥനും ലഭിക്കത്തക്കനിലയിൽ പന്ത്രണ്ടു പലിശ മുമ്പ് ന്യായമായിരുന്നു. ഇന്നത്തെ ഉൽപ്പന്ന വില അനുസരിച്ച് കാർഷികാദായം കുറഞ്ഞു. അതനുസരിച്ച് പലിശ മുൻപിലത്തേതിൻെറ മൂന്നിലൊന്നായി കുറയ്ക്കണം. ഈ കുറവു ഓരോ തരക്കാർക്ക് ഓരോവിധത്തിലായിരിക്കാൻ പാടില്ല. എല്ലാവരേയും ഒരുപോലെ ഗണിക്കണം. എല്ലാവരുടെ പണവും ഒരുപോലെയാണ്. ഇങ്ങനെ ഒരു നിയമം വന്നാൽ വലിയ കുഴപ്പമുണ്ടാകുമെന്നും പുറത്തുനിന്നും പണം വരാതാകുമെന്നും ചിലർ പറയുന്നു. തൊഴിലാദായത്തിൽ കവിഞ്ഞ പലിശയ്ക്കു പണം പുറത്തുനിന്നും വന്നുകൊണ്ടിരുന്നാൽ നമ്മുടെ പണമെല്ലാം പലിശരൂപേണ പുറത്തുപോയി രാജ്യം ക്ഷയിയ്ക്കും. ഗവൺമെൻറ് പണം കൊടുത്തു സഹായിക്കാൻ ഒരുങ്ങുകയാണെങ്കിൽ അതു് ഒരു സൗജന്യമാണ്. അതെല്ലാവർക്കും നൽകണമെന്നില്ല. എല്ലാത്തരം കടക്കാർക്കും പണം കടംകൊടുത്തു സഹായിക്കാൻ ഗവൺമെൻറിന് പ്രയാസമായിരിക്കും. പലിശയും മുതലും കുറയ്ക്കണമെന്ന് പറയുന്നത് സൌജന്യമല്ലാ. ഉൽപ്പന്നങ്ങളുടെ വിലക്കുറവുനിമിത്തം വന്ന നാണയത്തിൻെറ വില കൂടുതലും തൊഴിലിൽനിന്നുള്ള ആദായക്കുറവും നിമിത്തം ലഭിയ്ക്കേണ്ട

ന്യായമായ അവകാശമാണ്. ആ അവകാശം എല്ലാവക്കും ഒരു പോലെ നൽകുന്ന വിധത്തിലായിരിക്കണം നിയമം വരാൻ. ഗവണ്മെൻറിൻെറ സൗജന്യങ്ങൾ ൫൦൦൦ ഉറുപ്പിക എന്നോ ൩൦൦൦ ഉറുപ്പിക എന്നോ ഒരു ലിമിററ് വച്ച് നൽകിയാൽ മതി. മുതൽ കുറയ്ക്കുക, പലിശ കുറയ്ക്കുക മുതലായവ സാർവത്രികമായിത്തന്നെ പ്രയോഗിക്കണം. പത്തോ പന്ത്രണ്ടോ കോടി ഉറുപ്പിക കടം കൊടുക്കുവാൻ ഗവണ്മെൻറ് ഒരുമ്പെട്ടാൽ ഗവണ്മെൻറിന്ന വലിയ വിഷമം നേരിടും. അങ്ങിനെ ചെയ്താൽ പൊതുജനക്ഷേമത്തിന്നുള്ള അനേകം കാര്യങ്ങൾക്ക അതുകൊണ്ട് വിഘ്നം വരും. അങ്ങനെയുള്ള സംഗതികൾ പ്രവർത്തിക്കാൻ ജനപ്രതിനിധികൾക്കു ഗവണ്മെൻറിനെ ഉപദേശിക്കാൻ പാടില്ല.

വലിയകടക്കാർ സ്പെക്കുലേഷൻകൊണ്ടു കടം വരുത്തിയവരാണെന്നു ചിലർ പറഞ്ഞു. ആ സംഗതികളിൽ കടന്നുനോക്കാതെ ബാഹ്യമായ വശംമാത്രം കണ്ടു പറഞ്ഞ അഭിപ്രായമാണെന്നേ ഞാൻ വിചാരിക്കുന്നുള്ളു. ഈ രാജ്യത്തെ പരിതസ്ഥിതികൾ നോക്കുമ്പോൾ കാർഷിക പരിശ്രമംകൊണ്ടുവേണം രാജ്യത്തെ സാമ്പത്തികനില ഉയർത്തിക്കൊണ്ടു വരുവാൻ. ൧൦ കൊല്ലത്തിന്ന മുമ്പുള്ളതിൽ മുതലെടുപ്പ് ഇപ്പോൾ ഇരട്ടിച്ചിട്ടുണ്ട്. കാർഷികാഭിവൃദ്ധിയാണ് ഇതിന്ന കാരണം. കയററുമതിത്തീരുവ, ഭൂനികുതി, രജിസ്ട്രേഷൻഫീസ്, കോർട്ടുഫീസ്, ഇവയെല്ലാം കാർഷികാദായത്തിൽനിന്നുമാണ് ഉണ്ടാകുന്നതു്. കാർഷികോൽപ്പന്നങ്ങളാണ് ഇവിടത്തെ കയററുമതിച്ചരക്കുകൾ. ഇറക്കുമതിച്ചരക്കുകൾ കാർഷികാദായംകൊണ്ടു വാങ്ങേണ്ടവയുമാണ്. വക്കീൽ, വൈദ്യൻ, വൈദികൻ, ഗവണ്മെൻറുദ്യോഗസ്ഥൻ ഇവരുടെയെല്ലാം വരവു ഇൻഡയറക്ടായി കൃഷിയിൽനിന്നുതന്നെയാണ്. അതുപോലെതന്നെ ആഭരണം ഉണ്ടാക്കുന്നവരും കെട്ടിടം പണിയുന്നവരും കൃഷി ഉപകരണങ്ങൾ ഉണ്ടാക്കുന്നവരും മററു കൂലിക്കാരും കൃഷിയുടെ ആദായംകൊണ്ടുതന്നെ കഴിയുന്നു. ആഹാരം കഴിച്ചിട്ടു വേണമല്ലോ ആഭരണവും ഗൃഹവും പണിയിക്കാൻ. അതിന്ന നിവൃത്തിയില്ലാത്തതുകൊണ്ടു ഈ തൊഴിലുകളെല്ലാം കുറഞ്ഞു് തൊഴിൽക്കാർ തൊഴിലില്ലാതെ കഷ്ടപ്പെടുന്നു. ഒരു കിണററിൽനിന്നും വെള്ളം കോരിക്കൊണ്ടിരിക്കുന്നതനുസരിച്ചു ഉറവുകൂടി ഇല്ലെങ്കിൽ കിണർ വററിപ്പോകും. ഇപ്പോൾ കാർഷിക ഉറവു വററി തുടങ്ങിയിരിക്കുന്നു. അതിനാൽ കാർഷിക പരിശ്രമങ്ങളിൽ ഏർപ്പെട്ട് ബുദ്ധിമുട്ടുന്നവരെ ആക്ഷേപിക്കുന്നതു രാജ്യശ്രേയസ്സിന്ന ബാധകമാണ്. മററുരാജ്യങ്ങളെ അപേക്ഷിച്ച് സാമ്പത്തികമായി നാം പുരോഗമിച്ചുകൊണ്ടിരിക്കുന്നതു നമ്മുടെ കാർഷികപരിശ്രമം കൊണ്ട് മാത്രമാണ്.

ഇറക്കുമതികൊണ്ടു വരുന്ന നഷ്ടം കയററുമതികൊണ്ടുവേണം പരിഹരിക്കാൻ. ധൈര്യമായി മുന്നോട്ടു കടന്നു പ്രവർത്തിക്കുന്ന ജനസമുദായത്തിനേ സാമ്പത്തികമായി ഉയർച്ച ഉണ്ടാവാൻ വഴിയുള്ളു. ആപത്തിനെ വിചാരിച്ചു ഭയസംശയങ്ങളോടെ അല്പമായി പ്രവർത്തിക്കുന്ന ജനസമുദായങ്ങൾക്കു മുന്നോട്ടുവരാൻ സാധിക്കുകയില്ല. കാട്ടിലെ ദുഷ്ടമൃഗങ്ങളും മലേറിയയുമായി പോരാടി വലിയ തോതിൽ കൃഷിചെയ്തു് രാജ്യത്തിനു ധനവും, അനേകം ജനങ്ങൾക്കു തൊഴിലും നൽകിക്കൊണ്ടിരിക്കുന്നവരാണു് തോട്ടകൃഷിക്കാർ. അവരുടെ പ്രവൃത്തികളുടെ ഫലമായിട്ടാണു് ഇവിടുത്തെ പണവ്യാപാരികൾക്കു ആദായവും ഉയർച്ചയും സിദ്ധിച്ചതു്. ഇപ്പോൾ അവർ ഈ കർഷകരെ ആക്ഷേപിക്കുന്നതു യോഗ്യമല്ല. അതുപോലെതന്നെ കായലിൽ ഇറങ്ങി നക്രങ്ങളെ ഓടിച്ചു വലിയ തോതിൽ കായൽകൃഷി ചെയ്യുന്നവരും നെല്ലു വില കുറഞ്ഞതിനാൽ വലിയ കടത്തിൽ അകപ്പെട്ടിരിക്കുകയാണു. അനേകായിരം ഏക്കർ കൃഷിചെയ്തു് ആഹാരസാധനങ്ങൾ വിളയിച്ചു് തറവിലയും ഭൂനികുതിയും ആയി ഒരു വലിയ തുക ഗവണ്മെൻറിനു കൊടുത്തു കൊണ്ടിരിക്കെ അവർ ചെയ്യുന്നതു രാജ്യദ്രോഹമാണോ? ഇങ്ങനെയെല്ലാം ചെയ്തില്ലെങ്കിൽ നമ്മുടെ രാജ്യത്തിൻെറ സ്ഥിതി എന്തായിരിക്കും? ജനങ്ങളുടെ ഐശ്വര്യം എവിടെയിരിക്കും? തെക്കൻതിരുവിതാംകൂറിൽ അനേകായിരം ഏക്കർ ഡ്രൈലാൻഡ് വെററ്ലാൻഡാക്കി നിരത്തി കൃഷിചെയ്യുന്നു. ഈ വിധത്തിലുള്ള കടന്ന പരിശ്രമങ്ങൾ കൊണ്ടാണു നമ്മുടെ ഐശ്വര്യം, ജനങ്ങളുടെ ഐശ്വര്യം, രാജ്യത്തിൻെറ ഐശ്വര്യം വർദ്ധിപ്പിച്ചതും രാജഭണ്ഡാഗാരം പോഷിപ്പിച്ചതും. ഇങ്ങനെയുള്ള പരിശ്രമങ്ങൾ ഇനിയും നടന്നുകൊണ്ടുതന്നെയിരിക്കണം. ൫ കോടി രൂപാ നാം ഇറക്കുമതിയുടെ വിലയായി മററുരാജ്യങ്ങളിലേക്കു അയയ്ക്കുകയാണെങ്കിൽ ൭൦ കോടി രൂപാ നമ്മുടെ കയററുമതി സാമാനങ്ങളുടെ വിലയായി നമുക്കു പുറത്തുനിന്നു കിട്ടണം. എന്നാൽ മാത്രമേ ശരിയായ പുരോഗതി സാദ്ധ്യമാവൂ. ഇതിലേക്കു മലയോരങ്ങളിലും കായലുകളിലും സാർവ്വത്രികമായ കൃഷിയഭിവൃദ്ധി ഉണ്ടാകണം. ഇങ്ങനെയുള്ള കാർഷികാഭിവൃദ്ധി ഇപ്പോൾ നിലച്ചിരിക്കുകയാണു്. വമ്പിച്ച തോതിലുള്ള പരിശ്രമങ്ങളിൽനിന്നും കൃഷിക്കാർ ഒഴിഞ്ഞിരിക്കുന്നു. ഇതിൻെറ ഫലം കുറെ കഴിയുമ്പോൾ അറിയാം. ജനങ്ങളുടെ ഇപ്പോഴത്തെ സ്ഥിതി എന്താണു്? അവർ സാർവ്വത്രികമായി കടത്തിൽ മുങ്ങിയിരിക്കയാണു്. ഒരു സമുദായക്കാരോ ഒരു തൊഴിലിൽ ഏർപ്പെട്ടവരോ മാത്ര

മല്ല ഇവിടത്തെ കടക്കാർ. ഇവിടെ കടത്തെപ്പററി ഒരു ശരിയാ കണക്ക് കഴിഞ്ഞ സെൻസസ് കാലത്ത് സാമ്പത്തികസർവേ നടത്തിയപ്പോഠം എടുത്തു. ടി ബി. യിൽ വന്നു മൊഴിതരണമെന്നാവശ്യപ്പെട്ടതനുസരിച്ച് കുറെ കടക്കാർവന്നു മൊഴികൊടുത്തതനുസരിച്ച് ഉദ്ദേശമായി കടക്കാരുടെയും കടത്തിൻെറയും ഒരു വിവരം ഋണനിവാരണകമ്മിററിയുടെയും മററും റിപ്പോർട്ടുകളിൽ രേഖപ്പെടുത്തിയിട്ടുണ്ട്. അതു അത്ര ശരിയല്ല. വീടുതോറും നടന്നു അന്വേഷിച്ച് എടുത്ത ഒരു കണക്കാണ് സെൻസസ് റിപ്പോർട്ടിലുള്ളതു്. തിരുവിതാംകൂർ മുഴുവനും സഞ്ചരിച്ച് അന്വേഷിച്ചു ഇവിടത്തെസ്ഥിതിഗതികൾ ശരിയായി അറിയാവുന്ന ഡാക്ടർ കുഞ്ഞൻപിള്ളയുടെ നേതൃത്വത്തിലുമാണ് ഈ റിപ്പോർട്ട് തയ്യാറാക്കിയതു്; ന്യായമായ തോതനുസരിച്ചു ൧൫൦൦൦ ജനങ്ങളെ ഒരു ഗ്രൂപ്പായി എടുത്തുനോക്കുമ്പോൾ അതിൽ ൯൨൭ പേർ ഭൂമി പണയപ്പെടുത്തി കടം വാങ്ങീട്ടുള്ളവർ ഉണ്ടെന്നു പ്രസ്തുത റിപ്പോർട്ടിൽ കാണാം. അതായതു അഞ്ചുപേർക്ക് ഒരാൾവീതം ഭൂമി പണയപ്പെടുത്തി കടം വാങ്ങിയവർ. മററുവിധത്തിൽ നോക്കുമ്പോൾ കുഡുംബം ഒന്നിന് ഭൂമി പണയപ്പെടുത്തിയ കടക്കാരൻ ഒരാളുണ്ടെന്നു കാണാം. ൫൦൦൦ രൂപയ്ക്കുമേലുള്ള ഭൂമി പണയപ്പെടുത്തിയ കടക്കാർ ൧൫൦൦൦ ജനങ്ങളുള്ള ഒരു ഗ്രൂപ്പിൽ ൧൮ പേരുണ്ടെന്നു സമുദായം തിരിച്ചും റിപ്പോർട്ടിൽ ചേർത്തിട്ടുണ്ട്. ഇതിൽ ഒന്നാമതായി നിൽക്കുന്നതു് നായന്മാരാണ്. ൨൩൯൦ നായന്മാരും സിറിയൻ ക്രിസ്ത്യാനികൾ ൨൨൩൭ വ്യൻ ബ്രാഹ്മണരും, ഈഴവർ ൩൪ അദർ ഹിന്ദുർ ൦ ൻവ്യം ഈ വിധത്തിലാണ് പട്ടിക. ഭൂമി അധികമുള്ള സമുദായക്കാരാണ് അധികം കടക്കാരായിരിക്കുന്നതു്. ഇതിൽ നിന്നു എല്ലാവരേയും മോചിപ്പിക്കുകയാണ് നമ്മുടെ ആവശ്യം. പിന്നെ ഭൂമി പണയം വാങ്ങി പണം കടം കൊടുത്തിട്ടുള്ളവരെയും കാണിച്ചിട്ടുണ്ട്. ആ പട്ടികയിൽ ഒന്നാമതു നിൽക്കുന്നതു സിറിയൻ ക്രിസ്ത്യാനികളാണ്. രണ്ടാമതു നായന്മാരും, മൂന്നാമതു ബ്രാഹ്മണർ, ഈ വിധത്തിലാണ്. ഈ കണക്കു പല തെററിദ്ധാരണകളും നീക്കുന്നു ശരിയായ കണക്കുനോക്കുമ്പോൾ ഭൂസ്വത്തനുസരിച്ചു എല്ലാ സമുദായക്കാർക്കും കടമുണ്ട്. അവരേ രക്ഷിക്കാൻ ഒരുമ്പെടേണ്ടതു രാജ്യസ്നേഹിയായ ഏതൊരുവൻെറയും ധർമ്മമാണ്. കഴിയുന്ന വേഗത്തിൽ നിയമം ഉണ്ടാക്കി കർഷകജനതതിയെ രക്ഷിക്കേണ്ടതു ജനപ്രതിനിധികളുടേയും ഗവണ്മെൻറിൻെറയും ചുമതലയാണെന്നും നിയമം പാസാകുന്നതുവരെ കോ

ർട്ടനടപടികഠം നിറുത്തിവയ്ക്കേണ്ടതാവശ്യമാണെന്നും ഞാൻ പ്രത്യേകം പ്രസ്താവിച്ചുകൊള്ളുന്നു.

രജിസ്ട്രേഷൻ ഡിപ്പാർട്ടുമെൻറിന്റെ ഭരണ റിപ്പോർട്ടിൽ കർഷകരുടെ ഭൂമി കൃഷികരല്ലാത്തവരുടെ കൈവശം പോയതിന്റെ ഒരു കണക്ക കൊടുത്തിട്ടുണ്ട്. എത്രയോ ഏക്കർ ഭൂമി ഇങ്ങനെ കൈമാററം ചെയ്തുപോയിട്ടുണ്ട്. കഴിഞ്ഞ മൂന്നു നാലു വർഷങ്ങളായി അൻപതിനായിരവും ഏക്കർ ഭൂമി വീതമാണ് പ്രതിവത്സരം നടപ്പുപണയവും തീറുമായി കർഷകരല്ലാത്തവരുടെ കൈവശം പോയിട്ടുള്ളത്. ഇങ്ങനെ മിക്കതും പോയിക്കഴിഞ്ഞു. ഇനി ഉള്ളതെങ്കിലും കർഷകരുടെ കയ്യിൽ ശേഷിക്കണമെങ്കിൽ ഗവണ്മെൻറു ഉടനടി ഈ നിയമം പാസാക്കണം.

കർഷകരുടെ കയ്യിൽനിന്നും ഭൂമി പോയാലും അതു രാജ്യംവിട്ടുപോകയില്ലല്ലോ എന്നൊരു സമാധാനം പറയും. അതിനൊരു വ്യത്യാസമുണ്ട്. കൃഷിക്കാരുടെ കയ്യിൽനിന്നും ഭൂമി കൈവിട്ടുപോയാൽ കാർഷികാഭിവൃദ്ധിയുണ്ടാകയില്ല. ശരീരത്തിലെ കൈകാലുകളാണല്ലോ പ്രവത്തിക്കുന്നതു്. അവ ശോഷിച്ചാൽ മററവയവങ്ങഠക്ക തൽസ്ഥാനത്തു വേല ചെയ്വാൻ സാദ്ധ്യമല്ല. അതുപോലെതന്നെ പൌരസമൂഹമാകുന്ന ദേഹത്തിലെ കൈകാലുകളാകുന്ന കർഷകർ ക്ഷീണിച്ചാൽ ജനസംഖ്യയും പൊതുവിൽ ക്ഷീണിച്ച് രാജ്യൈശ്വര്യവും ക്ഷയിക്കും.

കർഷകക്ക് പണ്ടത്തെ രീതിയിൽ കൃഷിപരിശ്രമങ്ങഠം ചെയ്യുവാനുള്ള ശക്തി കൊടുക്കണം. ചെറിയ കടക്കാരുടെ ഒരു ലിസ്റ്റ് വച്ച് വസ്തു ജാമ്യത്തിൽ ഗവണ്മെൻറിനു കൊടുത്തുതീർക്കാം. വലിയ കടക്കാരുടെ കടത്തെപ്പററി എനിക്കു തോന്നുന്ന അഭിപ്രായം ഒരു ക്ലിപ്തപലിശവച്ച് ഉത്തമർണ്ണൻ അധമർണ്ണനിൽനിന്നു ഭൂമി വാങ്ങി കടം തീർക്കണമെന്നാണ്. മുമ്പു പലിശയുള്ളപ്പോഠം നാലിനും അഞ്ചിനും മദ്ധ്യേയുള്ള പലിശ കണക്കാക്കിയാണു സ്ഥാവരവസ്തുക്കഠം വിററുകൊണ്ടിരുന്നതു്. ഇന്നു ആറുപലിശയേ ഉള്ളു. ആ സ്ഥിതിക്ക് ആറു പലിശ കണക്കാക്കി വസ്തുക്കഠം എടുക്കുന്നതിനും കൊടുക്കുന്നതിനും വ്യവസ്ഥചെയ്താൽ ആർക്കും ദോഷം വരികയില്ല. അതു് കോർട്ടുമുഖാന്തിരം ചെയ്യുന്നതിനു നിയമത്താൽ നിർബന്ധിക്കണം.

MR. K. P. KOCHUKORA THARAKAN: (*Member, Sri Mulam Assembly*) ചെറിയ കടക്കാരുടെ സംഗതിയിലും അങ്ങിനെ ചെയ്യുന്നതിൽ വിരോധമുണ്ടോ?

MR. THARIATHU KUNJITHOMMEN: അങ്ങിനെ ചെയ്യാം, എന്നാൽ അതിൽ ഒരു വലിയഭാഗവും ഗവൎമ്മെൻറുതന്നെ ഏറെറടുത്താൽ ദോഷമൊന്നുമില്ല. പക്ഷേ കടക്കാരെ രക്ഷിക്കുന്നതിനു പകരം കടം കൊടുത്തവരെ മാത്രം രക്ഷിക്കാനുള്ള രീതിയിലാകരുതു് അതു്.

ഈ വിധത്തിലുള്ള പദ്ധതി കഴിയുന്നതും വേഗത്തിൽ നടപ്പിൽ വരത്തക്കവണ്ണം ബിൽ കൊണ്ടുവന്നു പാസാക്കണമെന്ന എന്റെ അഭിപ്രായം ഗവൎമ്മെൻറിന്റെ ശ്രദ്ധക്കു് വിഷയീഭവിപ്പിച്ചുകൊണ്ടു് വിരമിക്കുന്നു.

MR. S. VEERAIAH REDDIAR (*Member, Sri Chitra State Council*): തിരുവിതാംകൂറിലെ കൃഷികരുമായി ഞാൻ കഴിഞ്ഞ ൩൦ വൎഷങ്ങളായിനല്ലവണ്ണം അടുത്തു പരിചയിച്ചിട്ടുണ്ടു്. എന്റെ വകയായും എന്റെ ബന്ധുക്കളുടെ വകയായും അനേകലക്ഷം രൂപയുടെ കൊടുക്കൽവാങ്ങൽ ഈ നാട്ടിലെ കർഷകരുമായി ഞാൻ നടത്തീട്ടുണ്ടു. തിരുവിതാംകൂർ കർഷകർ ഈ അടുത്തകാലംവരെ സത്യസന്ധതയോടും ന്യായമായും കടം വാങ്ങിയാൽ ഒടുവിലത്തെ പൈസാവരെ കൊടുത്തുതീക്കണമെന്നുള്ള ഉദ്ദേശത്തോടുകൂടിയും പണമിടപാടുകൾ നടത്തിവന്നവരാണെന്നുള്ള ബഹുമാനം എനിക്കുണ്ടു്. ഇതിനുംപുറമെ കർഷകന്റെ സാധാരണ ആവശ്യങ്ങൾക്കുള്ള ജവുളി, പലചരക്കു, ചുരുക്കം മററു ചില സാധനങ്ങൾ, കൃഷിക്കു ആവശ്യമുള്ള മണ്ണെണ്ണ, എഞ്ചിൻകൂലി, വിത്തുവില മുതലായവ കടമായി വാങ്ങിയിരുന്നതിനെല്ലാം കർഷകൻ കണിശമായും പണം കൊടുത്തും വന്നിരുന്നു. കൃഷിപ്പിഴ വരികയോ മട വീഴുകയോ, അവിചാരിതമായ മററു കാരണങ്ങളാലോ മാത്രമേ കർഷകന്റെ കണിശം തെററിവന്നിരുന്നുള്ളു. എന്നുവരികിലും അത കാലത്തും സമയം നീട്ടിക്കിട്ടണമെന്നു ആവശ്യപ്പെട്ടതല്ലാതെ ഒട്ടും കൊടുക്കാതെ ഇരിക്കണമെന്നുള്ള മനഃസ്ഥിതി പ്രകടിപ്പിച്ചിരുന്നില്ല. തന്റെ കടം തീർത്തു എന്നുള്ള ആത്മാഭിമാനം തനിക്കുണ്ടാവണമെന്നു തിരുവിതാംകൂർ കർഷകർ ആഗ്രഹിച്ചിരുന്നതായിട്ടാണു് ഞാൻ ഒരു ആറേഴുവർഷങ്ങൾക്കു മുമ്പുവരെ കണ്ടിരുന്നതു്.

ഇതിനുദാഹരണമായി ൧൧൧൦-ൽ കൺസിലിയേഷൻബോർഡു ഉണ്ടാകുകയും ഉടനെതന്നെ അതു കൊള്ളുകയില്ലെന്നു പ്രക്ഷോഭണം നടത്തുകയും ചെയ്തു. ഉല്പന്നങ്ങൾക്കു വിലക്കുറവുണ്ടായിട്ടുണ്ടെന്നുള്ളതിൽ അശേഷം സംശയമില്ല. ആ കാരണത്താൽ ചെറിയ കൃഷിക്കാരനു അവന്റെ കടം തീർക്കാൻ പ്രയാസം നേരിട്ടിരിക്കുന്നുവെന്നുള്ളതു്

സത്യമാണു. എന്നാൽ അത്തരം ചെറിയ കടക്കാരെ സഹായിക്കാനാണോ ഇപ്പോഴത്തെ പ്രക്ഷോഭണം? അല്ല. അങ്ങനെയാണെങ്കിൽ ചെറിയ കടക്കാരുടെ കടം ഓരോ കൃഷിക്കാരനും അയ്യായിരം രൂപായിൽ കൂടുന്നതല്ല. അയ്യായിരം രൂപായുടെ കടം തീർത്താൽ അയാൾ താമസിക്കുന്ന വസ്തുവും, വീടും വീടിന്റെ മുമ്പിലുള്ള ൨ ൭ പറ നിലവും സുരക്ഷിതമായി. അങ്ങനെയുള്ള പലരെയും രക്ഷിക്കാം. ഇവരാണ് സാക്ഷാൽ കൃഷിക്കാർ. ഇവരുടെ എണ്ണം ധാരാളമാണു. ഇവരെ സഹായിക്കാൻവേണ്ടി ഗവമ്മെന്റു എന്തു സഹായം ചെയ്താലും അധികമായിപ്പോകയില്ല.

പക്ഷേ ഇവിടെ പ്രക്ഷോഭണം നടത്തുന്നതു ലക്ഷക്കണക്കിനു സ്വത്തുള്ളവരും, ഏതുവിധേനയും വാങ്ങിയ കടം കൊടുക്കാതിരിക്കണമെന്നുള്ള വിചാരമുള്ളവരും, ധനവാന്മാരും ആയ വ്യവസായികളും ആണ്. ഇവരെ സഹായിക്കാനല്ല നിയമം ഉണ്ടാക്കേണ്ടതു്. അവരുടെ ധൂർത്തിനും അനാവശ്യത്തിനും അവർതന്നെ ചുമതല വഹിക്കണം. പൊതുജനങ്ങളുടെ പണം വെച്ചുകൊണ്ടിരിക്കുന്ന ഗവമ്മെന്റു ഇതിനുത്തരവാദിത്വം ഒരിക്കലും വഹിക്കാൻ പാടില്ല. ഈ വമ്പിച്ച റബ്ബർകമ്പനിക്കാർ ൫൦ രൂപയ്ക്കുള്ള ഷെയർ ൯൦ രൂപയ്ക്കു വിററിട്ടുള്ളതായി എനിക്കറിയാം. ഇപ്പോൾ ആ ഷെയറിനു മൂന്നും നാലരയും രൂപ ആയിട്ടുണ്ട്. സാധാരണ കൃഷിക്കാരൻ വലുതായ ഋണഭാരത്തിൽ ഏർപ്പെട്ടിരിക്കുന്നു. ആ സ്ഥിതിക്കു അയാളെ സഹായിക്കേണ്ടതു് ഗവമ്മെന്റിന്റെയും മനുഷ്യസമുദായത്തിന്റെയും ചുമതലയാണ്. കൃഷിക്കാരൻ ജീവിച്ചിരിക്കയും കൃഷിനടത്തുകയും ചെയ്യേണ്ടതു് കച്ചവടക്കാരുടെയും വലിയ ആവശ്യമാണു. കൃഷിക്കാരൻ സാമ്പത്തികമായി നശിച്ചിരിക്കുന്ന ഒരു രാജ്യത്തും കച്ചവടക്കാർ സാമ്പത്തികമായി നല്ലനിലയെ പ്രാപിക്കുന്നില്ലെന്നുള്ള തത്വം സർവസമ്മതമാണ്.

നിയമംകൊണ്ടു് ഗവമ്മെന്റു് ചെയ്യുന്ന സഹായം അത്തരം കൃഷിക്കാരനുതന്നെ ലഭിക്കണം. കൃഷിയിൽവന്ന ദോഷംകൊണ്ടോ ചില്ലറ ചില്ലറയായി ഭൂമിയെ ഭാഗംചെയ്തതുകൊണ്ടോ കൃഷിസംബന്ധമായി വന്നുഭവിച്ച അപകടം കൊണ്ടോ ഉണ്ടായ അവന്റെ കടത്തെയാണ് തീർക്കേണ്ടതു്. അതിനു പകരം ഈ സാധുവിന്റെ നാമധേയത്തിൽ പ്രക്ഷോഭണം നടത്തി മററു കാരണങ്ങളാൽ ലക്ഷക്കണക്കിനു ഉണ്ടായിട്ടുള്ള കടങ്ങളെ തീർക്കാൻ നിയമത്തിന്റെയും ഗവമ്മെന്റിന്റെയും മറവിൽനിന്നു

കൊണ്ട് സ്വാധീനം സമ്പാദിച്ച് കാര്യങ്ങൾ സാധിച്ച രാജ്യത്തിന്റെ ധനസ്ഥിതിയെ നശിപ്പിക്കാൻ ഉള്ള ശ്രമത്തിൽ ഗവൺമെണ്ടും ഈ സഭയും കൂട്ടുനിൽക്കരുതെന്നു മാത്രമേ എനിക്കു വിനീതമായി പറവാനുള്ളു. ഞാൻ മേൽപ്രസ്താവിച്ചിട്ടുള്ള ചെറുതരം കടങ്ങൾ ഒരിക്കലും അയ്യായിരം രൂപായ്ക്കുമേൽ കാണുന്നതല്ല. അപ്രകാരമുള്ള കടക്കാരെ മാത്രം തിരഞ്ഞെടുത്തു അവരുടെ കടങ്ങളിൽനിന്നു മോചനം നൽകുന്നതിനു ചെയ്യുന്ന എല്ലാശ്രമങ്ങളും ന്യായമായിരിക്കും, ഫലപ്രദമായിരിക്കും, രാജ്യത്തിനു ക്ഷേമവും ഉണ്ടാകും. അതിനാൽ ഈ ബില്ലിന്റെ വ്യാപ്തി ൫൦൦൦ രൂപാവരെയുള്ള കടങ്ങളെ മാത്രമെ ബന്ധിക്കാവൂ എന്നാണു എന്റെ ബലമായ അഭിപ്രായം. ചിലർ ൫൦൦൦ രൂപാ സ്വത്തുള്ള ഒരു പണക്കാരന്റെ പക്കൽനിന്നും ആയിരം രൂപാ നോട്ടിൻപടി കടംവാങ്ങി ൫൦൦, ൧൦൦൦ ഏക്കർ വസ്തു സമ്പാദിച്ചതിനുശേഷം ആ പണക്കാരനെ കാണുമ്പോൾ ആക്ഷേപിക്കുന്ന നയം ഒട്ടുംശരിയായിട്ടുള്ളതല്ല. ഇങ്ങനെ പണം നോട്ടിൻപ്രകാരം കടം കൊടുത്തയാളോ അതോ പണം കടം വാങ്ങിയ ആളോ പണക്കാരൻ എന്നു ഗവൺമെന്റും ഈ സഭയിലെ മെമ്പറന്മാരും തീരുമാനിച്ചുകൊള്ളണം. ഞാൻ ആരേയും ദൂഷ്യം പറയുകയല്ല.

തിരുവിതാംകൂറിൽ സ്വന്തമുതൽ മുടക്കീട്ടുള്ള കച്ചവടക്കാർ വളരെ കുറച്ചേ ഉള്ളു. വിദേശികളുടെ പണംകൊണ്ടു വ്യാപാരം നടത്തുന്നവരാണു അധികമുള്ളതു. അവർ വിദേശികളുടെ പക്കൽനിന്നും കടംവാങ്ങി ഇവിടത്തുകാർക്കു കൊടുക്കുന്നു. അതു തിരിച്ചു കൊടുക്കുന്നതിനു ൧൫ കൊല്ലം വേണം. ൬ പലിശയേ കൊടുക്കുകയുള്ളു എന്നും മറ്റും പറഞ്ഞാൽ കച്ചവടക്കാരന്റെ സ്ഥിതി എന്തായിരിക്കും? അയാൾ ൧൬ പലിശവച്ച് മൂന്നുമാസത്തിനകം കൊടുത്തുതീർക്കയും വേണം. ഉൽപ്പന്നങ്ങൾക്കു വില കിട്ടുന്നില്ല എന്നു പറഞ്ഞാൽ വിദേശവ്യാപാരികൾ അവധി കേൾക്കയില്ല. കച്ചവടക്കാർ സുഖം അനുഭവിക്കുന്നവരാണെന്നാണു ചിലരുടെ വിചാരം. എന്നാൽ യഥാർത്ഥം അങ്ങിനെയല്ല. കച്ചവടക്കാരൻ ൨൪ മണിക്കൂറും ജോലിചെയ്യുന്നുണ്ട്. കർഷകനു പത്തോ പന്ത്രണ്ടോ മണിക്കൂർ ജോലിചെയ്താൽ മതി, അതുകഴിഞ്ഞ് മൂന്നുനാലുമാസം സുഖമായിരിക്കുകയും ചെയ്യാം. കച്ചവടക്കാരനെക്കൊണ്ടുവേണം കൃഷിക്കാരൻ നന്നാകാൻ. അതുകൊണ്ട് രണ്ടുകൂട്ടരേയും സംരക്ഷിക്കേണ്ട കടമ ഗവൺമെന്റിനുണ്ട്. കൃഷിക്കാരനു നഷ്ടംവന്നാൽ

ഗവമ്മെൻറ കരം ഇളവു ചെയ്തുകൊടുക്കുന്നുണ്ട്. കച്ചവടക്കാരന് യാതൊരു സഹായവും ചെയ്യുന്നില്ല. പിന്നെ ഇൻകംടാക്സ് കൊടുക്കണ്ടാ എന്നു മാത്രമേയൊള്ളു.

ഇനി ഉണ്ടാവാനിടയുള്ള ചില ദോഷവശങ്ങളേയും അവ ഈ രാജ്യത്തിൻെറ ധനസ്ഥിതിയെ എങ്ങിനെ ബാധിക്കുമെന്നും ഞാൻ പ്രസ്താവിച്ചുകൊള്ളട്ടെ.

തിരുവിതാംകൂർ രാജ്യത്തിൽ പണം ധാരാളം ഇല്ല. ഇപ്പോൾ ഇവിടെ ജനങ്ങളുടെ ഇടയിൽ മറിയുന്ന പണത്തിൽ അധികഭാഗവും അടുത്ത ബ്രിട്ടീഷിൻഡ്യായിലെ പണമാണ്. ഈ നാട്ടിലെ കച്ചവടക്കാർ കടമായി വരുത്തുന്ന ചരക്കുകളുടെ വില ബ്രിട്ടീഷിൻഡ്യായിലെ ബാങ്കുകളിൽനിന്നോ, ഇവിടെ സ്ഥാപിച്ചിരിക്കുന്ന അതിൻെറ ശാഖകളിൽനിന്നോ കടം വാങ്ങീട്ടുള്ളതാണ്. ഈ പണമാണ് ഇവിടുത്തെ വാണിജ്യവും, വ്യവസായവും സംബന്ധിച്ച് കൃഷിക്കാരൻ കൊടുത്തുതീർക്കുവാനുള്ള കടങ്ങളിലെ ഭൂരിഭാഗവും. ഈ പണം മറിഞ്ഞുതിരിഞ്ഞു ഒടുവിൽ കൃഷിക്കാരൻെറ കയ്യിൽ ചെന്നെത്തി അവിടെ അതു കരിങ്കല്ലുപോലെ ഉറച്ചുകിടക്കുന്നു. കിട്ടാത്തവയായവ, കുറെ ഡിക്രിയായവ, ഡിക്രിയായാലും ഈടാകാത്തതു കുറെ, കോർട്ടുകളുടെ അന്യായമായ താമസം, അവിടുത്തെ ചില അഴിമതികൾ ഇക്കാരണങ്ങളാൽ ൧൧൦൨-ാം, ൧൧൦൩-ാം വർഷങ്ങളായി ഈടാകാത്തവ കുറെ, ഈടായിക്കൊണ്ടിരിക്കുന്നവ കുറെ, വസ്തുക്കൾ ലേലത്തിൽ വിററു ലേലത്തിൽപിടിച്ചുവച്ചിരിക്കുന്നവ കുറെ, അവയെ വിററാൽ ഇന്നു ഒന്നിനുപകുതി വിലപോലും കിട്ടാത്തവ കുറെ ഇങ്ങനെയാണ് ഇവിടുത്തെ സ്ഥിതിഗതികൾ. ഇതിനു ഞാൻ എൻെറ അനുഭവംതന്നെ പറയാം. ഒരാളിൻെറ വസ്തു പണയം വാങ്ങിക്കൊണ്ടു ഞാൻ കുറെ ചരക്കുകൊടുത്തു. അതിനുശേഷം ആ വസ്തുക്കളെല്ലാം മററൊരാൾക്കു തീറു കൊടുത്തു. ഒടുവിലാണു എനിക്കു കാര്യം മനസ്സിലായതു. ഞാൻ വ്യവഹാരംകൊടുത്തു വസ്തു ലേലത്തിൽ കൊണ്ടുവന്നു. പ്രതി പോയി. തീറുവാങ്ങിച്ചവൻ ൩൦ വ്യ എന്നോ മറേറാ ഒരു വകുപ്പനുസരിച്ച് ഒരു ഹർജി കോടതിയിൽ കൊടുത്തു. ഇപ്പോൾ അതിൻെറ വിചാരണ ൨ കൊല്ലമായി നടക്കുകയാണ്. ഇനിയും തീർന്നില്ല. കോർട്ടിൽ പോയാലും പ്രതിക്കല്ലാതെ വാദിക്ക് യാതൊരാനുകൂല്യവും കാട്ടുന്നില്ല. അതുകൊണ്ട് കോർട്ടുനടപടി നിറുത്തിവയ്ക്കരുതെന്നു ഞാൻ അപേക്ഷിക്കുന്നു.

കടം കൊടുത്തവൻ ആ പണം കൊടുത്തു കർഷകനെ സഹാ യിച്ചു. ഇന്നു പണം തിരിച്ചു കൊടുക്കാൻ കാലമായപ്പോഠം അന്നു നി ലവിലില്ലാതിരുന്ന നിയമങ്ങഠം ഇപ്പോഠം ഉണ്ടാക്കി പണം കൊടുത്തു സഹായിച്ചവൻെറ പണം നശിപ്പിക്കാൻ നോക്കുന്നു. ഈ പ്രവൃത്തിക്കു ഗവർമ്മെൻറിൻെറ സഹായവും ആവശ്യപ്പെടുന്നു. ഇതു നീതിയാണോ എന്നു ഞാൻ ചോദിക്കുന്നു. ഇപ്രകാരമുള്ള നിയമങ്ങഠം ഇവിടെ നട പ്പിൽ വരുത്തിയാൽ ഈ രാജ്യത്തുള്ള ആൾക്കുതന്നെ പുറംദിക്കുകളിൽ നിന്നു വല്ല കടവും കിട്ടുമോ?

ഈ ആണ്ടു ബാംബേയിലുള്ള ഒരു കച്ചവടക്കാരൻ ഇവിടുത്തെ കൃഷിക്കാരനു ഇന്നുപാസാക്കാൻ ആലോചിക്കുന്ന നിയമത്തെ നല്ലവണ്ണം അറിഞ്ഞുതന്നെ പണം കൊടുത്തു സഹായിച്ചുവെന്നു വിചാരിക്കാം. ഇനിമേലും രണ്ടുമൂന്നു കൊല്ലങ്ങഠം കഴിയുമ്പോഠം പ്രക്ഷോഭണം തുട ങ്ങിയാൽ അന്നും പുതിയ നിയമങ്ങഠം ഉണ്ടാകയും ഇപ്പോഴത്തെ നിയമം അനുസരിച്ചു കടം കൊടുക്കുന്ന പണത്തിനു ദോഷം വരാൻ ഇടയാവു കയും ചെയ്യുകയില്ലേ? ഇപ്രകാരമുള്ള ഭയങ്കരാവസ്ഥയിൽ ഈ രാജ്യത്തു ള്ളവർക്കു വെളിയിൽനിന്നു പണം കടം കിട്ടുമോ? ഈ ഗവർമ്മെൻറി ൻെറ നിയമങ്ങളെപ്പററി വിശ്വാസമുണ്ടാകുമോ? ചരക്കുകഠം കടം കി ട്ടുമോ? ഇവിടുത്തെ നിയമസമിതികളുടെ സ്ഥിരമായ നയത്തിൽ വെ ളിയിലുള്ള ജനങ്ങഠംക്കു വിശ്വാസം ഉണ്ടാകുമോ? ഈ വശങ്ങളെക്കു റിച്ചു മാന്യമെമ്പറന്മാർ അവധാനപൂർവം ആലോചിക്കണമെന്നു ഞാൻ അപേക്ഷിക്കുന്നു

ഇവയെല്ലാററിനും പുറമെ ഈ രാജ്യത്തെസ്ഥിതിക്കു ആരാണു് കൃഷിമാത്രം നടത്തുന്ന കൃഷിക്കാരൻ, ആരാണു് കച്ചവടം മാത്രം നടത്തുന്ന കച്ചവടക്കാരൻ എന്നു പ്രത്യേകം വിവക്ഷിക്കാൻ പ്രയാ സമാണു്. ഒരു കൃഷിക്കാരൻ തേങ്ങാവെട്ടുണ്ടാകും. കൊപ്രാ കച്ചവടം ഉണ്ടാകും. അതിനു അഡ്വാൻസു വാങ്ങിയിരിക്കും. മററൊരു കൃഷിക്കാ രനു ഒരു പലചരക്കു പീടികയും ചില്ലറ ജവുളിക്കടയും ഉണ്ടാവും. ആയാഠം ചരക്കുകഠം കടം വാങ്ങി അയാളുടെ കൃഷിസ്ഥലത്തിനടുത്തു ഒരു കച്ചവടം നടത്തിവരുന്നുണ്ടാവാം. ഇപ്രകാരം തിരുവിതാംകൂറിൻെറ ഏതുഭാഗത്തും കാണാം. എന്നാൽ ആധാരമെഴുതുമ്പോഴും കച്ചേരിയിൽ മൊഴികൊടുക്കുമ്പോഴും കൃഷി തൊഴിലായി പറയുന്നതു സാധാരണയു മാണു്. പണത്തിനു അന്യായം കൊടുത്താൽ താൻ കൃഷിക്കാരനാണെന്നു

ഈ നിയമത്തിൻെറ ദാക്ഷിണ്യ സഹായങ്ങളെ അവലംബിച്ച തർക്കിക്കയും ചെയ്യുന്നു. പ്രായേണ കോടതികൾ പ്രതിക്ക അനുകൂലമായും നിൽക്കുന്നു.

ഇങ്ങനെ തുടങ്ങിയാൽ ഈ രാജ്യത്തെ സ്ഥിതിക്ക ആക്കം കൃഷിക്കാരനെന്നു വാദിച്ചുനിൽക്കും. അങ്ങനെ ഒരു സ്ഥിതിവന്നാൽ കച്ചവടം ഈ രാജ്യത്തു അസ്തമിക്കും. ലോകത്തു ഇന്നുകാണുന്ന സംഭവങ്ങളെല്ലാം കച്ചവടം വർദ്ധിപ്പിക്കാനാണ്. ഇത്തരം നിയമങ്ങളുടെ ഫലം കച്ചവടം ഇല്ലാതാക്കാനാണു. ആകയാൽ കച്ചവടക്കാർക്ക ചെല്ലാനുള്ള പണങ്ങൾ കൃഷിക്കാരനിൽ നിന്നുതന്നെ ഈടാകാനുള്ള വയാണെങ്കിലും കൃഷിക്കായല്ലാതെ വാങ്ങിയിട്ടുള്ള എല്ലാ സംഖ്യകളേയും ഈടാക്കുന്നതിനു ബാധകമാകാത്തവണ്ണം നിയമം ഉണ്ടാകേണ്ടതാണ്.

അല്ലാത്തപക്ഷം ഇപ്പോൾതന്നെ ക്ഷീണിച്ചിരിക്കുന്ന ഈ രാജ്യത്തെ വാണിജ്യം നശിച്ചുപോകുന്നതാണ്. എന്നു മാത്രമല്ല മുതലിൽ കുറേ കുറഞ്ഞാലും പലിശയിൽ വളരെ കുറഞ്ഞാലും ബാക്കി പണമെങ്കിലും ഉടനെ ഈടാകുമെങ്കിൽ അതെങ്കിലും മതിയായിരുന്നല്ലൊ.

ഉദാഹരണമായി ഈ നാട്ടിൽ ഹാലായിമാർ ലക്ഷക്കണക്കിനു ഇവിടെ പണം മുടക്കിയിട്ടുണ്ട്. ആരെങ്കിലും പാപ്പരായിപ്പോയാൽ, രൂപായ്ക്കു നാലണ രൊക്കം കൊടുത്താൽ സകല കടങ്ങളും തീർന്നതായി രസീതുകൊടുക്കുന്നു. ഇതിൻെറ അർത്ഥമെന്ത്? രൊക്കം പണംകിട്ടുമെങ്കിൽ ഒരു രൂപായുടെ കടം നാലണാവാങ്ങി ഏതു കച്ചവടക്കാരനും സമ്മതിക്കും. അതുകൊണ്ടു കടം കുറയ്ക്കണമെങ്കിൽ ഉള്ളതു എത്ര കുറഞ്ഞാലും രൊക്കമായി തീർത്താൽ മതിയായിരുന്നു. കടം കുറച്ചു കുറച്ചു കൊണ്ടുവരികയും വേണം; അതു രൊക്കം കിട്ടുകയുമില്ല, എന്നു വന്നാൽ അതു ഒരിക്കലും ന്യായമല്ല.

പിന്നെ പലിശയുടെ കാര്യം പറയാം. അയൽ രാജ്യമായ കൊച്ചിയിലും ബ്രിട്ടീഷിലും ഉള്ള പലിശയേക്കാൾ ഇവിടെ പലിശ കുറച്ചാൽ പണം ഒരിക്കലും ഇവിടെ ലഭിക്കുന്നതല്ല.

സഹായം വേണ്ട സാധു കർഷകരെ സഹായിക്കുന്നതിൽ ആർക്കും വിരോധമില്ല. എന്നാൽ ആ പേരുപറഞ്ഞു കച്ചവടത്തെ നശിപ്പിക്കാനും കൊടുക്കൽവാങ്ങൽ നിശ്ശേഷം നിറുത്താനും ഇടകൊടുക്കരുത്.

ഈ രാജ്യത്തു വ്യവസായംവേണം, കച്ചവടംവേണം, എന്നു പ്രസംഗങ്ങൾ നടക്കുന്നു. അതാണു ഗവർമ്മെൻറിൻെറ പ്രധാനമായ ഉദ്ദേശം.

എന്നാൽ വാങ്ങിയ പണം തിരികെ കൊടുക്കുന്നവരല്ല ഈ നാട്ടിലെ ആളുകൾ എന്നും, നമ്മുടെ നിയമങ്ങൾ പണം കടം കൊടുക്കുന്നവരെ ഉപദ്രവിക്കാനും ദ്രോഹിക്കാനും പററിയതാണെന്നും ബോദ്ധ്യം വന്നാൽ, ആരെങ്കിലും പണം കടം തരുമോ? ഈ രാജ്യത്തിനു രക്ഷ ഉണ്ടാകുമോ എന്നും ഞാൻ ചോദിക്കുന്നു. ഈ രാജ്യത്തിലെ കോടതികളിൽ ഒരു പുരുഷായുസ്സുണ്ടായാലും പണം ഈടാകുകയില്ല. ഇതിനും പുറമേ വാങ്ങിയവർ കൊടുക്കാതിരിക്കാനുള്ള നിയമങ്ങൾ ഉണ്ടാകുമെന്നുള്ള ധൈര്യത്തിൽ കടം തീർക്കാൻ പണം ഉള്ളവർപോലും പണം തരുന്നില്ല. ഈ സംഗതികളെയെല്ലാം ഈ സഭ ഗാഢമായി ആലോചിച്ചുവേണം എന്തെങ്കിലും നിയമം പാസാക്കേണ്ടതു് എന്നു ഞാൻ അപേക്ഷിക്കുന്നു.

MR. K. M. KESAVAN (*Member, Sri Chitra State Council*): Sir, it pains me very much to see that, over such an important piece of legislation, even while discussing its general principles, the House is so keenly divided, some, honourable members taking sides with the creditors and others with the debtors. To presume that all creditors are proverbial Shylocks insisting on the pound of flesh, would be taking things too far; at the same time, to claim that all debtors are Harischandras and would pay all that they owe, would be equally untrue. The truth is between these two extremes. I think honourable members are aware of the case of the late Desabandhu C. R. Das who paid to the last pie all the unsecured debts contracted by his father. There *are* such honest men even now. So in matters like this we have to take a dispassionate view. We have to take the details of each transaction into consideration, how a man got into indebtedness, how he evades payment—if at all he evades payment—and how relief can be given. Without going into details of this nature, it will be very hard to condemn one party or applaud the other. We find ourselves in a situation to which we have been driven by circumstances over which we had no control, I mean the economic depression. The condition at present is worse. There was the pre-war time of peace and plenty and then came the postwar time of depression and hardship. Now, war conditions again prevail and even the cost of necessaries has risen high. Take for example the necessaries of a schoolboy. The price of paper, ink and books, etc., has risen considerably. Though it is not directly connected with this question, I may draw the attention of Government to the fee that has to be paid by each student. The same rate that was fixed during the time of peace and plenty still continues. Unless some

latitude is shown, I am sure the number of boys and girls in the schools and colleges is likely to go down. That is by way of a digression to illustrate the seriousness of the situation in which we find ourselves at present.

The only way of affording relief both to the debtor and to the creditor is by scaling down the debts and by reducing the rate of interest. Without the element of compulsion coming into the matter of scaling down, I think that no useful purpose can be served and we have seen that the conciliation boards have proved a failure because there was no element of compulsion. If the Conciliation Officers were given the power to use compulsion, of course in a discretionary manner, they would have been able to serve some useful purpose and bring relief to the indebted people.

With regard to the rate of interest I do not see why a distinction should be made between secured debts and unsecured debts, why the rate of interest for secured debts should be 3 per cent. and for unsecured debts should be 4½ per cent. I think the interest for both these varieties of debts can without detriment to any party be fixed at 3 per cent. As regards banks and chitty debts, 4½ per cent. will be quite sufficient.

Another matter to which I draw the attention of Government is the finding of means and measures to make cash payment possible whatever may be the amount, after scaling down. From my own experience I can say that the ordinary creditors will be quite content to receive Rs. 80 in cash instead of Rs. 100. But if the scaled down amount of Rs. 80 has to be paid back in several instalments ranging from ten to twenty years, there will hardly be any creditor who will accept that condition. To make cash payment possible, Government will have to do something by way of floating debenture loan or something of that sort. I do not propose that Government should come in to make cash payment in all cases. There are varying degrees of indebtedness. The assets of a man might be Rs. 1,00,000 and his liabilities might come to Rs. 50,000. In such a case, because the man has properties and because the ratio of his indebtedness to his assets is 1:2, I think that without any aid from Government he will be able to satisfy his creditor. In the case of the small debtors and when their indebtedness is in a higher degree, say 75 per cent. or more Government must take all possible measures to afford relief.

PRESIDENT: Order, order. I have to be away from 5 to 10 minutes. Technically speaking, the Deputy President of the Assembly has no right to preside over this session and it must be, according to procedure, by way of election. As it will rather take a long time, would the honourable House allow Mr. Karayalar to occupy the Chair for 5 or 10 minutes. (Honourable Members: Yes, Sir.)

(The President then vacated the Chair which was occupied by Mr. S. Chattanatha Karayalar, Deputy President of the Sri Mulam Assembly.

MR. K. M. KESAVAN: I am of opinion that no distinction need be made in the matter of affording relief, whoever be the indebted, the agriculturist, the merchant or industrialist. The agriculturist is as much necessary for the prosperity of a country as the industrialist or the trader. If interest is kept within proper limits and if sufficient relief is given to all classes of people, trade and commerce will develop and expand. Without the expansion of trade and commerce and without restoring peace and plenty among the agricultural classes, no country can thrive. With these words I resume my seat,

MR. PADIYARA JOSEPH KUNJU (*Member. Sri Mulam Assembly*): സർ, ഇന്നലെയും ഇന്നുമായി പല സാമാജികന്മാരും ഈ പ്രശ്നത്തിന്റെ നാനാവശങ്ങളെപ്പററിയും കൂലങ്കഷമായി പ്രതിപാദിച്ചിട്ടുള്ളതുകൊണ്ട് ഈ ഋണനിവാരണപദ്ധതിയെപ്പററിയോ അതു ഉടനെതന്നെ നടപ്പിൽ വരുത്തേണ്ടതിന്റെ ആവശ്യകതയെപ്പററിയോ ഏതുപ്രകാരം അതു നടപ്പിൽ വരുത്തണമെന്നുള്ളതിനെപ്പററിയോ ഏതെങ്കിലും പറയണമെന്നു ഞാൻ വിചാരിക്കുന്നില്ല. ഈ പ്രശ്നത്തോടു ഗവമ്മെന്റിനുള്ള മനോഭാവം എന്താണെന്ന് ഈ സഭയെ അറിയിക്കുന്നതിനു മാത്രമേ ഞാൻ ഉദ്യമിക്കുന്നുള്ളു. തിരുവിതാംകൂർ ഒരു കൃഷികർമ്മപ്രധാനമായ രാജ്യമാണെന്നുള്ളത് സർവ്വവിദിതമാണ്. ഈ രാജ്യത്ത് അധിവസിക്കുന്ന ജനങ്ങളിൽ തൊണ്ണൂറു ശതമാനവും കർഷകരാണ്. ഈ കർഷകരിൽ തൊണ്ണൂറഞ്ചു ശതമാനവും ഋണബാധിതരായി നിർദ്ദയരായ കുറെ പണവ്യാപാരികളുടെ കരാളദംഷ്ട്രങ്ങളിലകപ്പെട്ടു വലയുന്നവരാകുന്നു. ലോകമഹായുദ്ധാനന്തരമുണ്ടായ ഉല്പന്നങ്ങളുടെ വിലക്കുറവും തന്നിമിത്തമുണ്ടായിട്ടുള്ള സാമ്പത്തികാധഃപതനവും മൂലം ഈ കർഷകർ ഇരുപത്തിയെട്ടു ഏകാദശിയും രണ്ടു പട്ടിണിയുമായിട്ടാണു ഇപ്പോൾ കഴിഞ്ഞുകൂടിക്കൊണ്ടിരിക്കുന്നത്. ഇങ്ങിനെ കഴിച്ചുകൂട്ടുന്ന ഈ കർഷകന്റെ രക്ഷയ്ക്കുവേണ്ടി ഗവമ്മെന്റു എന്തുചെയ്തു, എന്താണ് ചെയ്യുന്നത്? രമ്യമായ ഹർമ്മ്യങ്ങളിൽ എലക്ട്രിക്ക് പങ്കാകളുടെ കീഴിലിരുന്ന് സുഖമനുഭവിക്കുന്ന ഉദ്യോഗസ്ഥവൃന്ദം ഇക്കഥ അറിയുന്നുണ്ടോ എന്നുകൂടി ഞാൻ സംശയിക്കുന്നു. ഈ പ്രശ്നത്തിന് ഉടനെതന്നെ തൃപ്തികരമായ ഒരു പരിഹാരം ഉണ്ടാക്കിയെങ്കിൽ മാത്രമേ ഈ രാജ്യത്ത് സമാധാനവും സംതൃപ്തിയും ഉണ്ടാവുകയുള്ളു. ഈ രാജ്യത്തെ, ഐശ്വര്യാഭിവൃദ്ധികളുടെ രാജപാതയിൽ കൂടി ആനയിക്കണമെന്നാണ് ഗവമ്മെന്റിന്റെ ഉദ്ദേശമെങ്കിൽ – ഈ രാജ്യം അഭിവൃദ്ധിയുടെ പന്ഥാവിൽ കൂടി ത്വരിതഗമനം ചെയ്യണമെന്ന് ഗവർമ്മെന്റു അഭിലാഷിക്കുന്നുവെ

ങ്കിൽ — ഈ പ്രശ്നത്തിന് വിനാവിളംബം തൃപ്തികരമായ-ഏററവും തൃപ്തികരമായ—ഒരു പരിഹാരം ഉണ്ടാക്കേണ്ടതാണു. ഗവർമ്മെൻറിനെ എതിർക്കുന്നതിന് ഇവിടെ പല പ്രസ്ഥാനങ്ങളും കൂട്ടുകെട്ടുകളും വിപ്ലവപ്രസ്ഥാനങ്ങൾതന്നെയും ഉണ്ടായിട്ടുണ്ട്. അവയെല്ലാം നശിപ്പിക്കപ്പെടുകയോ സ്വയം നശിക്കയോ ചെയ്തിട്ടുമുണ്ട്. എന്നാൽ ഒരിക്കലും യാതൊരുകാരണവശാലും നശിപ്പിക്കപ്പെടുവാൻ നിവൃത്തിയില്ലാത്ത ഒരു വിപ്ലവമായിരിക്കും ഈ പ്രശ്നത്തിന് ഒരു പരിഹാരമുണ്ടാക്കിയില്ലെങ്കിൽ ഈ രാജ്യത്തു ഉണ്ടാകാൻ പോകുന്നതെന്ന്, ഞാൻ ഗവർമ്മെൻറിനെ കാലേകൂട്ടി അറിയിച്ചുകൊള്ളുന്നു. ഇന്നത്തെ ഭരണാധികാരികൾക്ക് തിരുവിതാംകൂറിനോട് സ്നേഹമുണ്ടെങ്കിൽ- തിരുവിതാംകൂർരാജ്യം സാമ്പത്തികമായി അഭിവൃദ്ധിപ്പെടണമെന്ന് അവർ ആഗ്രഹിക്കുന്നുണ്ടെങ്കിൽ-പ്രധാനമായും പ്രഥമമായും അവർ ചെയ്യേണ്ടകൃത്യം കർഷകൻെറ ഋണഭാരം ലഘൂകരിക്കുകയെന്നുള്ളതാണ്. ഇതു അവർ ചെയ്യുന്നില്ലെങ്കിൽ തിരുവിതാംകൂറിൻെറ ഭാവി എന്തായിരിക്കുമെന്നു ഊഹിക്കുന്നതിനോ ദീർഘദർശനം ചെയ്യുന്നതിനോ കേവലം അശക്യമായിരിക്കും.

ഒരു വ്യക്തിയെ നശിപ്പിച്ചും ഒരു കുടുംബത്തെ സംരക്ഷിക്കണം, ഒരു കുടുംബത്തെ നശിപ്പിച്ചും ഒരു ദേശത്തെ സംരക്ഷിക്കണം, ഒരു ദേശത്തെ നശിപ്പിച്ചും ഒരു രാജ്യത്തെ സംരക്ഷിക്കണം, ഇതായിരിക്കണം ഭരണാധികാരികളുടെ ലക്ഷ്യം. ന്യൂനപക്ഷക്കാരായ, കേവലം ന്യൂനപക്ഷക്കാരായ ഈ പണവ്യാപാരികളുടെ പിടിയിൽ നിന്നും പാവപ്പെട്ട ഈ കർഷകരെ വിമോചിപ്പിക്കുന്നില്ലെങ്കിൽ അതിൻെറ ഫലം, അതിൻെറ അനുഭവം, ഭയങ്കരവും പരിതാപകരവുമായിരിക്കുമെന്ന് പറയാതിരിക്കുവാൻ നിവൃത്തിയില്ല. ഇവിടത്തെ പണവ്യാപാരികളെയെല്ലാം ഈ രാജ്യത്തുനിന്നും ആട്ടിപ്പായിക്കണമെന്ന് ഞാൻ പറയുന്നില്ല. അവരും ഇവിടെ ജീവിച്ചുകൊള്ളട്ടെ. ഉത്തമർണ്ണർക്ക് ദോഷകരമല്ലാത്ത വിധത്തിൽ അധമർണ്ണർക്കു വേണ്ട ആനുകൂല്യങ്ങൾ ചെയ്തുകൊടുക്കണമെന്നേ ഞങ്ങൾ പറയുന്നുള്ളു. ൧൧൦൭ മുതൽ ഉള്ള കടത്തിന് മൂന്നു ശതമാനം പലിശനിരക്ക് ചുമത്തണം, പന്ത്രണ്ടോ പതിനഞ്ചോ ഇരുപതോ സംവത്സരംകൊണ്ടു കടത്തുകതിരിച്ചുകൊടുക്കുന്നതിന് അധമർണ്ണന് സൌകര്യം നൾകണം. ൧൧൦൮ ന് മുമ്പു ഉള്ളനങ്ങൾക്കുണ്ടായിരുന്ന വിലയും ഇപ്പോഴത്തെ വിലയും കൂടി താരതമ്യപ്പെടുത്തി അതനുസരിച്ച് മുതലിൽ കുറവു ചെയ്യണം, മൃഗീയമായ സിവിൽ വാറണ്ടു

നടപടി രാജ്യത്തുനിന്നും ബഹിഷ്കരിക്കണം. ഇവമാത്രമാണ് ജനങ്ങൾ ആവശ്യപ്പെടുന്നതു. ഇതിൽ ഉത്തമർണ്ണന്നു യാതൊരു ദോഷവും വരുവാനില്ല. ൧൧൦൯-നു ശേഷം കോർട്ടു വിധിപ്രകാരവും കോടതി നടപടിയനുസരിച്ചും ഉത്തമർണ്ണർ കൈക്കലാക്കിയിട്ടുള്ള വസ്തുക്കൾ അധമർണ്ണന്് ഈ വ്യവസ്ഥകളനുസരിച്ച് തിരിച്ചുകൊടുപ്പിക്കേണ്ടതും അത്യാവശ്യം തന്നെയാണ്. അധമർണ്ണനെ എങ്ങനെയെങ്കിലും ചൂഷണം ചെയ്തു് അവനെ നശിപ്പിച്ച് അവനുള്ളതു് സകലതും അപഹരിക്കണമെന്നുള്ള ഉദ്ദേശത്തോടുകൂടി മാത്രമാണ് ഇപ്പോൾ ഉത്തമർണ്ണൻ നിലകൊള്ളുന്നതു്. അധമർണ്ണന്മാരിൽ പലരുടേയും വസ്തുവകകൾ അല്പവിലയ്ക്കു ലേലത്തിൽ പിടിച്ച് ഉത്തമർണ്ണർ ഇപ്പോൾ കൈവശത്തിൽ വച്ചിരിക്കുന്നു. "ബലഹീനസ്യ ബലം രാജാ" എന്നുള്ള ആപ്തവാക്യമനുസരിച്ച് അധമർണ്ണൻ ഇന്നു മഹാരാജാവുതിരുമനസ്സിലെ ഗവമെൻറിൻെറ സഹായം അർത്ഥിക്കുകയാണ് ചെയ്യുന്നതു്.

ഇതാ എൻെറ മുമ്പിൽ എൻെറ ബഹുമാന്യസ്നേഹിതൻ മി. ജെയ്ക്കബ് ചെറിയാൻ ഈ ഋണനിവാരണപദ്ധതിയെ എതിർക്കുന്നതിന്നു തയ്യാറായിരിക്കുന്നു. അദ്ദേഹം ഒരു ബാങ്കറാണ്. ഒരു ഉത്തമർണ്ണനുംകൂടിയാണുപോലും. അദ്ദേഹം സെൻട്രൽജയിൽ വരെ ഒന്നു പോയിരുന്നെങ്കിൽ ഈ പ്രസ്ഥാനത്തെ എതിർക്കുന്നതിനുള്ള മനഃസ്ഥിതി അദ്ദേഹത്തിനുണ്ടാവുകയില്ലായിരുന്നു.

MR. T. C. KESAVA PILLAI *Member, Sri Mulam Assembly*: സിവിൽ ജയിലോ ക്രിമിനൽ ജയിലോ ?

MR. PADIYARA JOSEPH KUNJU: സെൻട്രൽ ജയിൽ. അനേകലക്ഷം അധമർണ്ണരുടെ വസ്തുവകകൾ നാലോ അഞ്ചോ അഥവാ പത്തോ ഇരുപതോ ഉത്തമർണ്ണർകൂടി കൈക്കലാക്കുന്നതിനുള്ള ഒരു ശ്രമമാണ് ഇപ്പോൾ നടന്നുകൊണ്ടിരിക്കുന്നതു്. അതു് സഫലമായാൽ അതിൻെറ ഭാവിഫലം എന്തായിരിക്കും? അധർമ്മവും അനീതിയും അക്രമവും അതിൻെറ പരമകാഷ്ഠയിലെത്തുമ്പോഴാണ് വിപ്ലവമുണ്ടാകുന്നതു. ഇതു് എൻെറ ഉത്തമസ്നേഹിതർ അറിഞ്ഞിരിക്കേണ്ട ഒരു കാര്യമാണെന്നു ഞാൻ അവരെ അറിയിച്ചുകൊള്ളട്ടെ. ഒരു കാലത്തു് മുതലാളിത്തപ്രഭുത്വത്തിൻെറ പരമകാഷ്ഠയെ പ്രാപിച്ചിരുന്ന റഷ്യയിലാണ് ഇന്നു നാം ബോൾഷേവിസത്തെ കാണുന്നതു്. ജർമ്മനിയിലെ പ്രബലപണവ്യാപാ

രികളായി ജർമ്മനിയുടെ ഭാഗധേയത്തെ നിയന്ത്രിക്കാമെന്ന് വിചാരിച്ചിരുന്ന ജർമ്മനിയിലെ യഹൂദന്മാരെ ഇന്ന് അവിടെ കണികാണ്മാൻ പോലുമില്ല.

അസംബ്ളിയിൽ എൻെറ ബഹുമാന്യസ്നേഹിതൻ മി. ജോസഫ് വിതയത്തിൽ ഒരു ഋണനിവാരണഭേദഗതിബിൽ ഹാജരാക്കി. ഞാൻ കൌൺസലിലെ ഒരു സമാജികനായിരുന്നപ്പോൾ ശ്രീചിത്തിരസ്റ്റേററു കൌൺസിലിൽ ഞാനും ഒരു ബിൽ അവതരിപ്പിച്ചു. ഇവയ്ക്കു രണ്ടിനും അതതു സഭ അനുമതിയും നൽകി. അതിൻെറ അനന്തരഫലം അജ്ഞാതമായിട്ടാണിരിക്കുന്നത്. പിന്നീടു അസംബ്ലിയുടെയും കൌൺസിലിൻെറയും സമ്മേളനങ്ങൾ നടന്നുവെങ്കിലും ഈ ബിൽ കാര്യപരിപാടിയിൽ ചേർക്കുകയുണ്ടായില്ല. ഇതേപ്പററി ഞാൻ എൻെറ ബഹുമാന്യസ്നേഹിതൻ ലീഗൽ റിമംബ്രൻസർ ശ്രീമാൻ പുതുപ്പള്ളി കൃഷ്ണപിള്ളയോടു ചോദിച്ചപ്പോൾ ഈശ്വരദത്തമായി ജന്മസിദ്ധമായി അദ്ദേഹത്തിനു ലഭിച്ചിട്ടുള്ള സുസ്മേരവദനത്തോടുകൂടി "അവ എൻെറ അൽമാരിയിൽ സൂക്ഷിച്ചിട്ടുണ്ട്" എന്നാണ് അദ്ദേഹം മറുപടി നൽകിയതു്. നിയമസഭയിൽ ഹാജരാക്കുന്ന ഒരു ബില്ലിന് ഇങ്ങനെയുള്ള ഒരനുഭവം തിരുവിതാംകൂറിലോ ലോകത്തിൽ മറേറതെങ്കിലും ഒരു രാജ്യത്തോ ഉണ്ടായിട്ടില്ലെന്നുള്ളതു് നിശ്ചയമാണ്. ഇതേ സംബന്ധിച്ച് ചർച്ചചെയ്തു് ഒരു റിപ്പോർട്ടുസമർപ്പിക്കുന്നതിനായി ഉടനെതന്നെ ഒരു കമ്മിററിയെ നിയമിക്കുന്നതാണെന്നും അവർ ഒരു നക്കൽ ബിൽ തയ്യാറാക്കി നിയമസഭയിൽ അവതരിപ്പിക്കുന്നതാണെന്നും ഇതൊരു അടിയന്തിരകാര്യമായി പരിഗണിച്ച് നിയമസമിതികളുടെ വിശേഷാൽ സമ്മേളനങ്ങൾ വിളിച്ചുകൂട്ടി ഇതേപ്പററി വാദപ്രതിവാദം നടത്തുമെന്നും ശ്രീമൂലം അസംബ്ലിയിലും ശ്രീചിത്തിരാസ്റ്റേററുകൌൺസിലിലും ദിവാൻ പ്രസിഡൻറു പ്രസ്താവിച്ചു. ഈ പ്രസ്താവനയനുസരിച്ചു കാര്യങ്ങൾ നടക്കുമെന്ന് ഞങ്ങൾ പ്രതീക്ഷിച്ചു. ഒരു കമ്മിററി ഏർപ്പെടുത്തിയെന്നുള്ളതു് പരമാർത്ഥം തന്നെ. കാലവിളംബത്തോടുകൂടിയാണെങ്കിലും അവർ ഒരു റിപ്പോർട്ടും ഒരു നക്കൽ ബില്ലും തയ്യാറാക്കി ഗവമ്മെൻറിനെ ഏല്പിച്ചു. അതേപ്പററി പര്യാലോചിച്ച് ഒരു നിശ്ചയം വരുത്തുന്നതിനു നിയമസമിതികളുടെ ഒരു പ്രത്യേകയോഗം നടത്തുകയെന്നുള്ളതായിരുന്നു ഗവമ്മെൻറു ചെയ്യേണ്ടിയിരുന്നതു്. അതിനുപകരം ഗവമ്മെൻറ് ഇപ്പോൾ പറയുന്നതു് ഈ വിഷയത്തെപ്പററിയുള്ള പൊതുജനാഭിപ്രായം അറിയണമെന്നാണ്. അതിനായിട്ടാണ്

പോലും നിയമസമിതികളുടെ ഒരു സംയോജകസമ്മേളനം ഇപ്പോൾ വിളിച്ചുകൂട്ടിയിരിക്കുന്നതു്. മി. ജോസഫ് വിതയത്തിൻെറയോ എൻെറയോ ഇതിലേക്ക് പ്രത്യേകം നിയമിക്കപ്പെട്ട കമ്മിററിയുടെയോ ബില്ലുകളിൽ ഏതെങ്കിലും ഒന്നു് ഇവിടെ പര്യാലോചനയ്ക്കായി എടുത്തിരുന്നെങ്കിൽ ഇതേപ്പററിയുള്ള പൊതുജനാഭിപ്രായം എന്താണെന്നറിയുന്നതിനു് അതു് കൂടുതൽ പ്രയോജനീഭവിക്കുകയില്ലായിരുന്നുവോ? ഗവമ്മെൻറിനോടുള്ള ബഹുമാനം കൊണ്ടും വ്യക്തിപരമായ ചില പരിഗണനകൾകൊണ്ടും ഞങ്ങൾ ഇതുവരെ മൌനം ദീക്ഷിച്ചു.

MR. THOMAS CHANDI MUKKADAN : മെംബർ ഇവർ എല്ലാവരെയും ഉദ്ദേശിച്ചു പറയുന്നതാണോ?

MR. PADIYARA JOSEPH KUNJU : അല്ല, ഞാൻ എൻെറ കാര്യം മാത്രമാണു് പറയുന്നതു്. മററുള്ളവരെക്കൂടി ഉദ്ദേശിച്ചു പറയുന്നതല്ല. സർ, ഗവമ്മെൻറിൻെറ ഈ നടപടി ഔചിത്യപൂർവ്വമായിട്ടുള്ളതാണോയെന്നു് ഞാൻ ചോദിച്ചുകൊള്ളുന്നു.

[The Dewan President occupied the Chair at this time].

MR. PADIYARA JOSEPH KUNJU : സർ, അങ്ങയോടു പ്രത്യേകമായി എനിക്കു് ഒരപേക്ഷയുണ്ടു്. സ്വാത്ഥപരമായ താല്പര്യങ്ങൾ സംരക്ഷിക്കുന്നതിനുവേണ്ടി ചിലർ അങ്ങേപ്പക്കൽ അടുത്തുകൂടി സ്ഥിതിഗതികൾ തെററിദ്ധരിപ്പിക്കുന്നുണ്ടു്. അങ്ങനെയുള്ളവർ അങ്ങയുടെയും തിരുവിതാംകൂർ രാജ്യത്തിൻെറയും ശത്രുക്കളാണെന്നു് അങ്ങു ധരിക്കണം. അവരെ ദൂരവേ പരിത്യജിച്ചു്, ആട്ടിയോടിച്ചു് ദാരിദ്ര്യത്തിൽ അകപ്പെട്ടു് വലയുന്ന പാവപ്പെട്ട കർഷകരെ അങ്ങു സഹായിക്കണം, അങ്ങനെ രാജ്യത്തെ രക്ഷിക്കണം.

വലിയ കടക്കാരെന്നും ചെറിയ കടക്കാരെന്നും കടക്കാരെ രണ്ടായി വിഭജിക്കണമോ, വിഭജിക്കണമെങ്കിൽ എങ്ങനെ വിഭജിക്കണം, അതിനുള്ള തോതു എന്തായിരിക്കണം എന്നു് അങ്ങേയ്ക്കു് സംശയമുള്ളതായി ഇവിടെ പ്രസ്താവിച്ചു. ഈ വലിയ കടക്കാർ ആരാണു്? വനങ്ങളിലുള്ള കരടി, കടുവാ, കാട്ടുപോത്തു്, ആന, പുലി മുതലായ ക്രൂരമൃഗങ്ങളോടു പൊരുതു്, ഭൂമിയോടെന്നല്ല പ്രകൃതിയോടുതന്നെയും യുദ്ധം ചെയ്തു് സമ്പൽസമൃദ്ധിയും സാമ്പത്തികാഭിവൃദ്ധിയും ഉണ്ടാക്കിയിട്ടുള്ളവരാണു് ഈ വലിയ കടക്കാർ. അല്ലെങ്കിൽ ചീങ്കണ്ണിയോടും മുതലയോടും ജലത്തോടും

യുദ്ധം ചെയ്തു് വെറും ജലാശയങ്ങളെ തിരുവിതാംകൂർ നിവാസികളുടെ പ്രധാനആഹാരമായ നെല്ലു വിളയിക്കുന്ന സ്ഥലങ്ങളായി രൂപാന്തരപ്പെടുത്തിയവരാണ് ഈ വലിയ കടക്കാർ. അവരോടു ഇതുവരെ ഗവമ്മെൻറു തറവിലയും കരവും ഈടാക്കിയശേഷം അവർ കൃഷിചെയ്തുണ്ടാക്കി അന്യദേശങ്ങളിലേക്ക് കയററുമതിചെയ്യുന്ന ഉല്പന്നങ്ങൾക്കപോലും കയററുമതിച്ചുങ്കം ഈടാക്കി ഗവമ്മെൻറു ഭണ്ഡാഗാരത്തെ പോഷിപ്പിച്ചശേഷം രാജ്യത്തിൻെറ പൊതുവേയുള്ള സാമ്പത്തികാഭിവൃദ്ധിക്ക് സഹായിച്ച ഇക്കൂട്ടക്ക് മററുള്ളവക്ക് ചെയ്തുകൊടുക്കുന്ന സഹായംപോലും ചെയ്തുകൊടുക്കയില്ലെന്നു പറയുന്നതു് സാഹസമല്ലേ? സകല കടക്കാരനും ഒരുപോലെ തന്നെ ഗവമ്മെൻറു സംരക്ഷണം നല്കേണ്ടതാണ്.

ഗവമ്മെൻറാണ് ഈ രാജ്യത്തെ ഏററവും വലിയ ഉത്തമർണ്ണൻ. കർഷകൻെറ ഈ ആപൽഘട്ടത്തിൽ അവനു വേണ്ട രക്ഷനല്കുന്നതിന് ഗവമ്മെൻറു തയ്യാറാവുന്നില്ലെങ്കിൽ അതു് കേവലം അധമ്മം മാത്രമാണ്. ഈ ബില്ലിൽ ഗവമ്മെൻറു കടവും ഉൾപ്പെടുത്തുകതന്നെ ചെയ്യണം. വലിയ കടക്കാർക്ക് പണം കൊടുത്തു് അഥവാ അവരുടെ കടം വീട്ടി ഗവമ്മെൻറു സഹായിക്കണമെന്ന് ഞാൻ പറയുന്നില്ല. അവരുടെ കടത്തുകകൾക്ക് കരാർ എന്തു തന്നെയായിരുന്നാലും ചുരുങ്ങിയപലിശ നിരക്കും കടത്തുക കൊടുത്തടയ്ക്കുന്നതിന് ഒരു ദീർഘകാലാവധിയും അനുവദിക്കണമെന്നു മാത്രമേ ഞാൻ ആവശ്യപ്പെടുന്നുള്ളു. ഇതു ചെറിയ കടക്കാരുടെ ബാദ്ധ്യതകൾ തന്നെ ഗവമ്മെൻറു ഏറെറടുക്കാമെങ്കിൽ അതിനുള്ള പണം എവിടെ എന്നുള്ള ചോദ്യത്തിന് ഞാൻ ഉത്തരം പറയാം. ഇവിടുത്തെ ഉയന്ന ഗ്രേഡിലുള്ള ഉദ്യോഗസ്ഥന്മാരുടെ വമ്പിച്ച ശമ്പളം കുറെ കുറവുചെയ്യുക. അങ്ങനെ ലാഭം വരുന്നപണംകൊണ്ടു് പാവപ്പെട്ട കർഷകനെ സഹായിക്കുക. രാജ്യത്തിൻെറ നാനാവിധത്തിലുള്ള അഭിവൃദ്ധിക്കായി അങ്ങു് ഇവിടെ പല പരിഷ്കാരങ്ങളും—പ്രസ്ഥാനങ്ങളും—ഏർപ്പെടുത്തിയിട്ടുണ്ടു്. അങ്ങനെ അങ്ങു സമാരംഭിച്ചിട്ടുള്ള സകല പ്രസ്ഥാനങ്ങളെയും ഉള്ളഴിഞ്ഞു് അനുകൂലിച്ചിട്ടുള്ള ഒരുവനാണ് ഞാനെന്നു് അങ്ങേയ്ക്കു ശരിയായി അറിയാമെന്നു ഞാൻ വിശ്വസിക്കുന്നു. പരിഷ്കാരങ്ങളെല്ലാം കർഷകൻെറ രക്ഷയ്ക്കുവേണ്ടിയുള്ളവയായിരിക്കണമെന്ന് മാത്രമേ ഞാൻ പറയുന്നുള്ളു. അവിടുന്ന് തിരുവിതാംകൂറിനു പ്രത്യേകമായ ഒരു സർവ്വകലാശാലയുണ്ടാക്കി. പട്ടിണികിടന്നു വലയുന്നവനോ കോളജ് വിദ്യാഭ്യാസം? പ്രൈവെസ് ചാൻ

സലർ മി. ചന്ദ്രശേഖരനെ മാത്രം പിരിച്ചുവിട്ടാൽ പ്രതിമാസം ൫൨൦൦ രൂപ ലാഭിക്കാം. ഈ സംഖ്യകൊണ്ട് എത്ര പാവപ്പെട്ട കർഷകരെ സഹായിക്കാം? അങ്ങു ഇവിടെ ഹൈഡ്രോ ഇലക്ട്രിക്ക സ്കീം ഉണ്ടാക്കി. പട്ടിണികിടന്നു് തെല്ലിപിരികൊള്ളുന്ന ഞങ്ങൾക്ക് എന്തിനാണ് വിദ്യുച്ഛക്തി? അങ്ങു് ഇവിടെ സംഗീതകലാലയമുണ്ടാക്കി. ദാരിദ്ര്യംകൊണ്ടു വലയുന്ന ഞങ്ങൾക്ക് എന്തിനാണ് സംഗീതം? ഈ പരിഷ്കാരങ്ങളെല്ലാം ആവശ്യം തന്നെ. പക്ഷെ ഈ നാട്ടിൻെറ നട്ടെല്ലായ കർഷകൻെറ പട്ടിണി പ്രശ്നം തീർത്തിട്ടാണ് ഇവയെല്ലാം ചെയ്യേണ്ടതു്. പ്രജാവത്സലനും ദീർഘദൃഷ്ടിയും കുശാഗ്ര ബുദ്ധിയുമായ ഒരു രാജർഷി, അഖിലലോകപ്രശസ്തനും കർമ്മകുശലനും മികച്ചരാജ്യഭരണതന്ത്രജ്ഞനും തികഞ്ഞ സാമ്പത്തികശാസ്ത്രപടുവുമായ ഒരു മന്ത്രിവര്യൻ എന്നിങ്ങനെ ഒത്തിണങ്ങി വന്നിട്ടുള്ള ഈ അവസരത്തിൽ തിരുവിതാംകൂറിലെ കർഷകന് രക്ഷകിട്ടുന്നില്ലെങ്കിൽ പിന്നെ എന്നാണ് അവന് ലഭിക്കുന്നതു്? ഈ അതിപ്രധാനമായ വിഷയം അങ്ങേ സത്വരശ്രദ്ധയ്ക്കു ഞാൻ വിഷയീഭവിപ്പിച്ചുകൊള്ളുന്നു. രാജ്യാഭിവൃദ്ധിക്കുപയുക്തങ്ങളായ പല പരിഷ്കാരങ്ങളും അങ്ങു ഇവിടെ ചെയ്തിട്ടുണ്ടെന്നു് ഞാൻ സമ്മതിക്കുന്നു. എന്നാൽ അങ്ങു തിരുവിതാംകൂർ നിവാസികളുടെ ശാശ്വതമായ കൃതജ്ഞതയ്ക്കു പാത്രീഭൂതനാകണമെങ്കിൽ ഈ പ്രശ്നത്തിന് ഉടനെ തന്നെ തൃപ്തികരമായ ഒരു തീരുമാനമുണ്ടാക്കേണ്ടതാണ്.

MR. M. GOVINDAN (*Member, Sri Chitra State Council*): Sir, this is a most serious problem. I feel that the subject has been discussed so thoroughly by my friends who have spoken before by me, that there is not much for me to contribute to the discussion.

The first question that confronts us when dealing with the question of relief of indebtedness is whether there should be any line drawn between rich debtors and the non-affluent or the poor debtors. Much has been said about that subject already. Divergent opinions have been given expression to. Government have appointed a committee which has submitted a report on the subject. There was some doubt expressed from the Chair with regard to the necessity for drawing a line between the capitalist borrower and the money lenders. The question is both of them being capitalists, is it necessary to afford relief to them? It is a very thought provoking question. The report of the Committee agree with the ques.ion. The Committee is under the impression that it is difficult to draw a line of demarcation. The saving clause in the Bill leads to the embarrassment of both the richer and poorer classes of debtors. It is clear that there is much truth in what the Com-

mittee has stated. I am quite in agreement with my friend Mr. SambasivaAiyer in that the man who can afford to pay should be made to pay. In determining that question, no doubt there is some difficulty. Though it is really difficult to point that out, a line has to be drawn to indicate the man who can afford to pay and otherwise. Let us see how that line could be drawn. It should not be drawn by the number of acres that a man owns, nor from the independent sources of income that he can have. It has to be drawn by a study of his balance sheet. If on meeting his legitimate expenses and paying off his debts there is a decent balance left which could be used as provision for his family, why should not such a man be asked to pay? It is practically difficult to demarcate the one who can afford to pay from the one who cannot. But it should be possible to elaborate the details necessary for coming to the conclusion on that matter and the Committee which was entrusted with the consideration of that measure might have arrived at a satisfactory data for determining the competency and ability for the man who can pay and who cannot pay. Therefore although I am of the view that it is difficult, as expressed by the Committee, to draw a line between an affluent debtor and a poor debtor, I feel that it is possible to devise a measure which will give us definite detail with regard to the ability of a man who can and cannot pay.

MR. G. NAARYANA AIYAR: May I know from the member whether a rough idea of the man's ability to pay or otherwise could not be found out?

MR. M. GOVINDAN: In a case where the assets would be just enough to discharge his debts, a man's ability to pay could be easily found out. The nature of his liabilities, his current expenses such as in the matter of education of his children and so forth—all these have to be looked into in the first instance and then a rough and ready figure of the balance has to be ascertained. Anyhow, with the help of such details, it may not be difficult to find out a rule which would enable us to distinguish between a debtor who deserves help and who does not.

The other point is, without the means for satisfying payment, it is no use scaling down a man's debts by judicial officers and affording him relief. The creditor must get his cash in hand and the debtor must get relief by such ready payment. For that, the only method I could suggest is that the Government should develop the Credit Bank in such a way and make such rules as to enable the debts to be paid at once in cash. My friend Mr. Sivathanu Pillai was against any such commitment to be undertaken by Government. I have to disagree with him. It is only by a restoration of the credit system in this State, that help could be rendered to debtors in general. For that it is necessary that Government should go a little out of the way to help one who is indebted.

My friend Mr. Padiyara Joseph Kunju was vehemently criticising Government for not bringing a measure to relieve indebtedness all at once. He was using very many adjectives in that connection. I am

not in agreement with him in the use of expressions voiced by him. He was referrinng to the exploitation of backwaters and so forth. All that apart, the fact remains that many indebted persons deserve help. The burden is heavy and it cannot be said that the Government have no obligation to look into it. It cannot be said that the State has no business to consider that aspect. The greater the burden, logically the more help is called for. That being so, it should be the aim of the Legislature with the co-operation of Government to produce a Bill containing actual relieving features in the shape of ready cash payment to creditors and thus find a way out of the difficulty.

MR. N. RAMAKRISHNA PILLAI (*Member, Sri Mulam Assembly*): I am generally in agreement with the conclusions and proposals of the Debt Relief Enquiry Committee. It is a matter for sincere gratification to those who are in favour of the proposals made by the majority of the members of this Committee to know that the Government are also in agreement with most of the proposals made by them.

The question of the indebtedness of the cultivator in Travancore has long ago attracted the attention of the Government and the non-official public. In 1930 the Banking Enquiry Committee reported that the total rural indebtedness of the people of the State was somewhere about 25 crores of rupees. Conditions have grown considerably worse since then and the reason for debt relief at the present moment is that the continued economic depression is an unforeseen factor that has entered into the ordinary relations of the debtor and the creditor. It has placed the debtor in a decidedly disadvantageous position, and Government have recognised that the solution of the problem of relieving indebtedness is of vital concern to the contentment and happiness especially of the vast agricultural population of the State and consequently to the prosperity of the country as a whole. Ordinary means of relief granted by Government as by way of reduction in the tariff value of cocoanut products, remissions of land tax, reduction in the rates of school fees, and reduction of the rate of interest on agricultural loans, were found to be quite inadequate, and the question of debt relief was therefore referred to the Agricultural Debt Redemption Committee appointed by Government in 1935. Instead of suggesting the method advocated by the Devadhar Committee about this time, namely, the reduction of debt by scaling down capital or interest or both, the Committee suggested the alternative method of the settlement of claims by mutual agreement by means of Debt Conciliation Boards, and this was accepted by Government. Effect was also given by Government to the recommendation of the Committee regarding the provision for financial facilities by the establishment of the Travancore Credit Bank. Within two years of the passing of Act III of 1112 Government have again found it necessary to appoint the Debt Relief Enquiry Committee to investigate the question and to ascertain whether compulsion may be resorted to in scaling down and settling the existing debts. The Committee, after a very careful consideration of all the points of view, has arrived at the conclusion that voluntary conciliation has broken down wherever it has been tried and that it is necessary during the depression

to adopt some compulsory measure to relieve the debtors. I am in full agreement with the conclusions of the majority of the members of this Committee and the reference I have made to the various steps steadily taken by Government in the direction of affording relief to the indebted population serves to show how disastrous it will be to drop or even delay this measure of relief to which the vast majority of the people look forward with eager expectation. I also desire to state that I am in full agreement with the conclusions of the Committee that the relief measures suggested by them should be available, in the peculiar conditions of this country, not to agriculturists alone, but to all debtors in the State, and that there should be no restriction as to the pecuniary status of the person to whom debt relief should be available as determined by the payment of income tax and so on. When dealing with a general situation of this nature, it is undesirable to enter into a meticulous examination of the incidence of this measure in particular instances especially because scientific precision or principle is not to be expected in the case of human transactions.

The proposals made by the Committee for giving relief to debtors appear to me to be prefectly sound and barely necessary to meet the needs of the present situation. I have only to emphasise the fact that the need for legislation on the lines proposed by the Committee is very urgent, that demand for legislation is insistent, and that conditions are so abnormal that nothing but an emergency measure of this kind will meet the needs of the situation.

The Committee has rightly pointed out that it must be made plain beyond any doubt that mere agitation by debtors for the purpose would not result in legislation relieving them from the obligation to carry out their contracts and that nothing but an abnormal change in the economic conditions forming the basis of all contracts should induce any such legislation. I agree; but I have to point out in this connection that the enactment of Section 31 of the Travancore Civil Procedure Code modifying the beneficient provisions of the old Regulations I and IV of 1010 and the decisions of the High Court upholding the validity of agreements allowing interest to be treated as principal amount in violation of the spirit of these Regulations have in no small measure contributed to the deplorable condition of the debtors at the present time. It is imperatively necessary to amend Section 31 of the Civil Procedure Code and bring it into conformity with the old Regulations.

It was pointed out in your address yesterday that there are a few controversial points requiring elucidation by discussion in the Legislature. These refer to the case of the poor creditors, to co-operative societies, trade debts, to a maximum limit to be fixed as to the total indebtedness of a person to whom relief measures are to be applied. Reference was also made to the nature of the financial assistance to be given by Government.

In regard to the exclusion of small creditors such as widows who hade made investments of small amounts for maintenance and the like I have only to say that if it is practicable exception may be introduced.

As to co-operative societies it has to be remembered that most of them lent at $10\frac{1}{2}$ % but including penal interest which they invariably charge, the rates generally go up to 16 % In the case of several societies the bye-laws make it compulsory to charge a penal interest which was however originally intended as an inducement to debtors to make prompt payments. Some societies, for instance, the Central Co-operative Bank have been able to reduce the rate of interest to $7\frac{3}{4}$ % and to do away with penalty altogether. Yet these societies cannot be said to have suffered on this account. I would therefore urge the need for including these societies within the scope of the Bill as proposed by the Committee. Similar reasons apply to trade debts and the difficulty of distinguishing trade debts from other debts is another reason for their inclusion.

I now come to the most controversial of all the points referred to in the address, namely, the maximum limit of the debts to which the measure should apply.

There is indeed much to be said in favour of exclusion of the big debtors from the provisions for debt relief. The Committee has dealt with the question in their report at pages 9 and 10. The Committee thinks that since the proportion of debtors whose total debts exceed Rs. 5,000 is only 1.25 per cent, their inclusion will not affect appreciably the number of debtors to be brought within the scope of the measure of relief. But the fact that the vast majority of the needy debtors could be included within its scope even if a limit is fixed is a reason which appeals to those who take a different view. There is no justification for Government rendering financial assistance to those who have incurred large debts either on account of speculation or on account of extravagant expenses regardless of consequences. These considerations lead one to the conclusion that there is no urgent need for relief in their case and that they may be left to their own resources for meeting the demands of their creditors.

There are, however, some practical difficulties in making such distinction. What is the limit to be imposed in order to bring the really deserving debtors within the scope of relief? Is it Rs. 5,000 or Rs. 10,000 or Rs. 15,000? Is the limit to be fixed with reference to the amount of the original debt or the debt together with the amount of the accumulated interest at a particular point of time ? There are also debtors such as chitty foremen who have large debts requiring relief. Again as the Committee says there are several ways in which relief may be granted to the debtor short of finding money to discharge their debts. Reduction in the rate of interest and the concession to repay in instalments may suffice in such cases. These are matters which require consideration. I feel that there is no such justification for relief in their case as I do feel in the case of debtors whose debts are below Rs. 10,000 or Rs. 15,000.

MR. JACOB CHERIYAN (*Member, Sri Chitra State Council*): On the question of debt relief, Sir, there is a tendency to get sentimental. There was much talk about depression which means low commodity prices so far as we are concerned and why economic

depression was brought about. In the first place, Sir, history teaches us that the present slump is neither an isolated nor an exceptional phenomenon. Economic causes and effects, it is admitted, move in cycles.

According to American experts on the subject, changes occur every nine years, and our experience in this country also would tell us that it is so. The years from 1922—1930 were notable for the high prices agricultural commodities were fetching. From 1930 onwards prices have fallen and that state of affairs continued till about 1939. Now we are in 1940 and we see that there is some sign of recovery in general. Debts were contracted during and before the depression period and those old debts were not paid during the boom period, before the prices of agricultural commodities have fallen. Big debts were contracted before the boom period and these debtors had opportunity to pay them off during the boom period. They have not done so.

The debts in Travancore were contracted during the course of several years and in many cases transactions begun generations ago are still continued. In matters like that no rapid change is possible or desirable. The conditions in Travancore do not warrant debt relief legislation, as we have no money-lending class as such here. In this respect we are in a different situation from that which obtains in British India. In British India there is a money lending class whose sole business is money lending and that too at a much higher rate of interest. The realisable rate of interest had along ago been fixed here at 12 per cent so that there is no question of high rates of interest or of victimisation by a class of 'Shylocks'. These were the factors that led to legislation in most of the provinces in British India to provide protection for the ryots. The effect of these Acts in British India, is disastrous.

> " Provisions like payment of debts by instalments, stay of execution of decrees, etc., have frozen a part of the assets of some Banks, specially in Bihar and the United Provinces, and some such Banks are experiencing embarrassment in meeting their obligations in consequence".

The above is the observation of the Reserve Bank of India on the subject. With regard to the Madras Act, I mean the Agriculturists' Relief Act, Justice Mr. Krishnaswamy Iyengar of the Madras High Court said that it is "ill conceived and hasty" legislation. The Committee was trying to copy the provisions of the Madras Act in respect of various aspects.

If obstruction is placed, foreign capital would not come in, and we are badly in need of foreign capital. Our recent experience has proved it. We have floated a loan of 3 per cent for 50 lakhs of rupees. 95 per cent of the money was shared by the people outside Travancore. 80 per cent of the shares of the Credit Bank were subscribed from outside Travancore. There is so little fluid capital inside the State. There

are other examples too. The inflow of capital from outside is very essential for the progress of the commerce, trade and industry of the country. Sir, I am very happy to find that the general sense of the House is to exclude Banks from the operation of this Bill. Banks, it will be admitted are both creditors and debtors. They are the custodians of credit. To make any legislation affecting the conduct of the banks would certainly paralyse the credit of the country and dislocate the free movement of capital. In Travancore, of course, after the recent banking crisis, we are not having many banks functioning. That being the case, the existing banks must be protected and of course legislation must be made encouraging new banks to come into the field. If you are thinking that the present banks need re-organising even then it is absolutely necessary that the existing banks are protected in the proper manner. I, therefore, sincerely hope that this House would realise the gravity of the situation with reference to the importance of the Bill and find out provisions to exclude banks from its operation.

The conference adjourned at 4·45 P. M.

Thursday, the 24th Kumbhom 111 / 7th March 1940.

The Conference re-assembled at 11 A. M. with the Dewan in the Chair.

MR. T. C. KESAVA PILLAI (*Member, Sri Mulam Assembly*) : Sir, there are many more members who have to give their opinions. As such, some time limit may be fixed.

PRESIDENT : That is just what I am going to say. Order, order. I find that in addition to the list that is with me which contains about 20 names, some 20 more honourable members have handed in their names. Now, from certain enquiries I have made, I understand that the general idea is to terminate the discussion to-day. Is that generally agreed upon? (Honourable members indicated assent). If that is so, I am afraid, that in order to satisfy at least the majority of the honourable members who want to speak, there should be enforced some time limit for the speeches of honourable members. I suggest a limit of ten or fifteen minutes.

An honourable memb r: Fifteen minutes, Sir.

MR. KOCHIKAL P. BALA RISHNAN TAMPI : Sir, 15 minutes each to 40 members may mean......

PRESIDENT : I cannot help it. After all there are certain limitations which clocks impose. Fifteen minutes do not mean that everybody should wait till 14½ minutes expire. I dare say that honourable members will speak with due regard to the rights of other honourable members.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI (*Member, Sri Mulam Assembly*) : Sir, it cannot be denied that although the agricultural indebtedness has always been existing, the continued economic depression has considerably worsened the condition of the agriculturists in the State and has created a grave situation which can only be surmounted

by the application of extraordinary measures. The several reports submitted to Government by Committees appointed for the purpose explain in unmistakable terms the urgent necessity for giving relief to the agricultural debtors in the State. We are all aware of the fact that Government in their anxiety to give relief to the agriculturists have adopted several measures which proved only to be a palliative. In addition to the occasional remissions of land revenue and school fees and the reduction in the rates of interest on Government loans and co-operative loans, Government have tried to help the agricultural debtors by means of statutory provisions embodied in the Travancore Judgment Debtors' Temporary Relief Proclamation of 1935, the Agriculturists' Relief Act III of 1112 and the Credit Bank Act IV of 1113. But both the people and the Government have rightly felt that these relief measures have proved quite inefficient to meet the actual requirements of the situation, the difficulties of which are being accentuated everyday as the result of the continued economic depression and the increasing burden of debt. Sir, the very common combination in practice of the three occupations, namely, agriculture, industry and commerce, in the same person or the family and the fact that there is no community in Travancore exclusively engaged in the profession of money-lending have made it sufficiently clear that a substantial measure for giving adequate relief to all classes of debtors is absolutely necessary. Sir, accordingly Government have been pleased to appoint a committee to go into the whole question of indebtedness in the State and to submit their recommendations to Government. It is my considered opinion that the report of the Committee is a just, impartial and valuable document and that the recommendations submitted to the Government by this Committee are only just and fair to all parties concerned.

Sir, at the outset, I may be permitted to state that I am for the inclusion of the necessary provision in the proposed legislation for giving relief to all classes of debts, namely, agricultural, commercial and industrial. Mr. Balakrishnan Tampi has observed that some of the debts which are intended to be excluded from the operation of the Bill by virtue of Clause, 3 sub-clause (1) of the draft Bill should also be brought within the operation of the Regulation. But, Sir, I do not say that such debts as are thus excluded from the operation of the Bill under sub-clause (1), clause 3 of the draft Bill should be included. But my submission is that in view of the express provision, already referred to, for exempting certain classes of debts from the operation of the Bill, I do not find any reason for having sub-clause (2) of Clause 3 which gives extraordinary powers to Government to exclude again from the operation of the Bill any institution under the direct control or management of the Government by a notification in the Government Gazette. When there is a specific provision contained in sub-clause (1) of Clause 3, I do not find any necessity for the retention of sub-clause (2) of Clause 3. That is my objection.

Then, the preamble of the draft Bill appended to the report of the Debt Relief Enquiry Committee shows that the Bill is intended to be passed into law as an amendment to Act III of 1112. Sir, one of the

most important and beneficial provisions contained in Act III of 1112 is that contained in Section 37 of that Act, which deals with the limitation of the arrest of judgment debtors. No provision appears to have been included in the proposed legislation in regard to this matter. So, my submission is that the provision contained in Section 37 of Act III of 1112 should also form part of the proposed legislation.

Then, Sir, whatever may be the nature of the relief measures that are going to be given to the debtors and whatever may be the rate or proportion of the scaling down process, I am definitely of the view that unless there is some powerful agency to lend money to the debtors to clear off their scaled down debts, no useful or substantial purpose will be served by any enactment which may be passed. Then the question is who that powerful agency can be. As has been rightly stated by the Dewan President of the Sri Mulam Assembly on the 7th August 1939, it cannot be except through the instrumentality of the Credit Bank.

Then, the question is whether it is possible or feasible for the Credit Bank to lend money to clear off all the scaled down debts of all the debtors in the State. My opinion is that it is impossible. In this connection I have to submit two suggestions; one is that the Credit Bank need advance money only when a debtor and his creditors are prepared to bring down the total debts to an amount which may be reasonably advanced under the rules by the Credit Bank, on the security of the immovable property that may be offered by the debtor as was recommended by the Agricultural Debt Redemption Committee of 1935 at page 135 of their Report. My second suggestion is that the Credit Bank should lend money for the purpose of relief provisions under the Bill to those debtors only, the total of whose debts does not exceed Rs. 5,000. The average debt of an agriculturist in the State, who has not indulged in any unnecessary speculation, I am sure, will not exceed Rs. 5,000. Even though the 8th suggestion of this Committee in paragraph 135 of their Report is that the Credit Bank should give preference only to those applicants, the total of whose debts does not exceed Rs. 5,000, my submission is that there must be a definite restriction with regard to the issue of the loans by the Credit Bank to the extent of Rs. 5,000 only.

Then, Sir, I may be permitted to state one word with regard to chitties. The Banking Enquiry Committee and the Agricultural Debt Redemption Committee have both unanimously recommended the desirability of prohibiting altogether future floatation of chitties in the State. The report submitted by the Debt Relief Enquiry Committee does not contain any adequate opinion on this point. Sir, the chitty debt in the State constitutes only 17 per cent. of the total debt and these committees were of the opinion that the chitty is harmful and ruinous not only to the agriculturists, but to the foreman and to the subscriber. So, my submission is that there should be an express provision in the proposed legislation prohibiting future floatation of the chitty.

With regard to the inclusion of the several classes of debts in the proposed legislation, my considered opinion is that it should include all debts, whether bankers' or co-operative or industrial or other kinds of debts.

With these few words, I resume my seat.

MR. THOMAS CHANDY MUKKADAN: (*Member, Sri Chitra State Council*): സർ, സംസാരിക്കുന്നതിനുള്ള സമയം വളരെ പരിമിതമാണ്. തിരുവിതാംകൂറിന്റെ ചരിത്രത്തിൽ ഇദംപ്രഥമമായ ഒരു കൃത്യമാണു നാമിവിടെ നിർവഹിക്കുന്നതു്. തിരുവിതാംകൂറിലെ ഭാവിതലമുറയുടെ ഐശ്വര്യം ഏതുപ്രകാരത്തിൽ രൂപവല്ക്കരിക്കപ്പെടണമെന്നും, ഇന്നത്തെസ്ഥിതിയിൽ ഇനിയും പോകയാണൊ ഐശ്വര്യത്തിന്റെ പുരോഗമനത്തിനു പര്യാപ്തമായ മാർഗ്ഗമെന്നും ൬൦ ലക്ഷം പ്രജകളുടെ നാമത്തിൽ അവരുടെ പ്രതിനിധികൾ നിർണ്ണയിക്കേണ്ടിയിരിക്കുന്നു. സർ, ലോകത്തിലെ അസാമാന്യസാമർത്ഥ്യമുള്ള ഭരണതന്ത്രജ്ഞന്മാരിൽ ഒരുവനായ അങ്ങുപോലും ഈ സന്ദർഭത്തിൽ ഇതിനു ശരിയായ ഒരു തീരുമാനം കണ്ടുപിടിക്കാൻ വിഷമിക്കുന്നു എന്നുള്ളതിനു പ്രത്യക്ഷമായ ഒരു തെളിവാകുന്നു നിയമസഭയുടെ സംയുക്തസമ്മേളനം വിളിച്ചുകൂട്ടി സകലവിധത്തിലുമുള്ള താല്പര്യങ്ങളുടേയും സകല ജനവിഭാഗങ്ങളുടേയും പ്രതിനിധികളുടെ അഭിപ്രായം ഏകരൂപത്തിൽ വരുത്തി നിയമമുണ്ടാക്കണമെന്നു വിചാരിച്ചതു്. വ്യത്യസ്ഥമായ ചുറ്റുപാടുകളിൽ അകപ്പെട്ടു അപ്രതീക്ഷിതമായ വിഷമങ്ങളാൽ വലയം ചെയ്യപ്പെട്ട ഈ ആപൽസന്ധിയിൽനിന്നു ജനങ്ങളെ ഉയർത്തുന്നതിനു രാജ്യതന്ത്രജ്ഞനായ അങ്ങുപോലും അശക്തനായ സ്ഥിതിക്കു തിരുവിതാംകൂറിന്റെ നാനാഭാഗങ്ങളിൽനിന്നും വന്നിരിക്കുന്ന പ്രതിനിധികളായ ഞങ്ങൾക്കു്, ഞങ്ങൾ പ്രതിനിധീകരിക്കുന്ന സ്ഥലങ്ങൾക്കും, തൊഴിലുകൾക്കും, ജനങ്ങൾക്കും എന്തെല്ലാം രക്ഷാമാർഗ്ഗങ്ങൾ നിയമം മുഖേന വരുത്താമെന്നു പറയുവാനുള്ള അവസരം ചുരുക്കിയതിൽ വ്യസനിക്കാതെ നിവൃത്തിയില്ല. ൧൧൦൮-ൽ കടനിവാരണനിർദ്ദേശത്തിനായി ഏർപ്പെടുത്തപ്പെട്ട വിദഗ്ദ്ധകമ്മിറ്റി രാജ്യമാകെ സഞ്ചരിച്ചു ശരിയായ വിവരം മനസ്സിലാക്കി വേണ്ട പ്രമാണങ്ങളും ശേഖരിച്ചു സമർപ്പിച്ച റിപ്പോർട്ടിനെ ആധാരമാക്കി പാസാക്കിയ നിയമം അപര്യാപ്തമായി തീർന്നിരിക്കുന്നു എന്നും ഇന്നത്തെ പരിതസ്ഥിതിക്കു് അനുരൂപമായ ഒരു നിയമം ആവശ്യമാണെന്നും മുമ്പിലത്തേക്കാൾ ശക്തിമത്തായി ജനതതി രോദനം ചെയ്യുന്നു. ഞാൻ ഈ സംഗതി വളരെ ഗാംഭീര്യത്തോടുകൂടി പറയുകയാണ്. ഈ സംഗതിക്കു ഒരു തീരുമാനം ഉണ്ടാക്കുന്നതിലേക്കായി വന്നിരിക്കുന്ന ജനപ്രതിനിധികളായ ഞങ്ങൾ രാജ്യത്തി

ന്റെ ഉത്തമതാല്പര്യങ്ങൾക്ക് പര്യാപ്തമാകുന്ന ഒരു നിയമം ഉണ്ടാക്കുന്നതിനു എത്ര ദിവസം വേണമെങ്കിലും ഇരിക്കുന്നതിനും പടി ഉപേക്ഷിച്ചും മററു ത്യാഗങ്ങൾ ചെയ്തും പ്രവർത്തിക്കുന്നതിനു സന്നദ്ധരാണ്. ഇതു അത്ര പ്രധാനപ്പെട്ട ഒരു വിഷയമാകുന്നു. ഈ വിഷയത്തെ സംബന്ധിച്ച ഒരു നിയമം ദ്രുതഗതിയിൽ ഏതാനും മണിക്കൂറുകൾക്കുള്ളിൽ പാസാക്കണം എന്നു പറയുന്നതു ശരിയായ ഒരു നയമായിരിക്കുകയില്ല. തിരുവിതാംകൂറിലെ ജനതതിയുടെ നില എന്താണെന്നു ബഹുമാനപ്പെട്ട ഗവൺമെന്റോ ഗവൺമെന്റിനെ ഉപദേശിക്കുന്ന ആളുകളോ മനസ്സിലാക്കിയിട്ടില്ല. സർ, ഞാൻ മുമ്പു ചൂണ്ടിക്കാണിച്ചതുപോലെ രാജ്യം മുഴുവനും ചുററിസ്സഞ്ചരിച്ചു വേണ്ട തെളിവുകൾ വാങ്ങി സമർപ്പിച്ചിട്ടുള്ള റിപ്പോർട്ടിനെ ആധാരമാക്കി പാസാക്കിയ നിയമം തന്നെ രാജ്യത്തിന്റെ താല്പര്യത്തിനു അപര്യാപ്തമായി തീർന്നിരിക്കുന്ന സ്ഥിതിക്ക്, ഈ സംഗതി ഏററവും ഗൌരവാവഹവും ദീർഘാലോചനയ്ക്കു വിഷയമാകേണ്ടതും ആണെന്നു പ്രത്യക്ഷമാകുന്നുണ്ട്. ഇനിയും അപര്യാപ്തമായ നിയമമാണ് ഉണ്ടാകുന്നതെങ്കിൽ ജനങ്ങൾ പ്രക്ഷോഭണത്തിനു പുറപ്പെട്ടേയ്ക്കും. ഈദൃശ സംഭവം കുട്ടനാട്ടിനെ സംബന്ധിച്ചു ഒരവസരത്തിൽ ഉണ്ടായി. കണ്ടുകൃഷിനെൽക്കരം നിറുത്തണമെന്നുണ്ടായ രോദനത്തിന്റെ ഫലമായി മഹാറാണി റീജന്റു തിരുമനസ്സുകൊണ്ടു കണ്ടുകൃഷിക്കരം പണമാക്കി പറയ്ക്കു ൨൪ ചക്രം എന്നു വ്യവസ്ഥ ചെയ്തു. തുടർന്നു കൊല്ലത്തിൽ അധഃപതനംകൊണ്ടു നെല്ലിന്റെ വില ൧൨ ചക്രമായി കുറഞ്ഞു. അവിടുത്തെ കണ്ടുകൃഷിക്കാരിൽ കുറെപേർ തിരുവനന്തപുരം പട്ടണത്തിൽ വന്നു താമസിച്ചു തൃപ്പാദങ്ങളിൽ സങ്കടമുണർത്തിക്കുന്നതിനു അനുവാദം വേണമെന്ന് അപേക്ഷിച്ചു. തുടർച്ചയായി അനുവാദം നിഷേധിക്കപ്പെട്ടു. അന്ന് അവർ സമർപ്പിച്ച മെമ്മോറിയലിലെ ഒരു വാചകം എനിക്കിപ്പോഴും ഓർമ്മയുണ്ട്. അതായതു "ഞങ്ങൾ രണ്ടായിരത്തിൽശിഷ്ടം കണ്ടുകൃഷിവസ്തു ഉടമസ്ഥന്മാരുടെ പ്രതിപുരുഷന്മാരായി ൧൦൦ ലധികമാളുകൾ ഈ തിരുവനന്തപുരം പട്ടണത്തിൽ വന്നു"..... ....

PRESIDENT: The honourable member will confine bis remarks to the subject matter before the house.

MR. THOMAS CHANDY MUKKADAN: ഇങ്ങനെ പലപ്രാവശ്യം അനുവാദം നിഷേധിക്കപ്പെട്ടു എങ്കിലും ഒടുവിൽ അനുവാദം കിട്ടി. രാജസ്ഥാനത്തും ബഹുമാനപ്പെട്ട ഗവൺമെന്റിനോടും ജനങ്ങളുടെ എല്ലാപ്പ്ര

കാരത്തിലുമുള്ള വിഷമങ്ങളേയും അറിയിക്കുന്നതിനു അവസരം കിട്ടുമെന്നുള്ള ബോധം ജനതതിയിൽ അവശേഷിച്ചിരിക്കുന്ന കാലത്തോളം നിയമം അപ്രത്യക്ഷമായി വന്നാൽ, പ്രക്ഷോഭണരൂപത്തിലല്ല, വിപ്ലവകരമായ മാർഗ്ഗങ്ങളിൽകൂടിയല്ല, സങ്കടരൂപത്തിൽ ഗവണ്മെൻറിൻെറ സമക്ഷത്തു അവർ വരികതന്നെ ചെയ്യും. തിരുവിതാംകൂറിലെ സകല പ്രജകളുടെയും തിരുവിതാംകൂർ ഗവണ്മെൻറിൻെറയും ഐശ്വര്യത്തിനും ഇതരരാജ്യക്കാൎക്ക് നമ്മുടെ രാജ്യത്തോടുള്ള മതിപ്പ്—മററു പല മെമ്പരന്മാരുടേയും ഭാഷയിൽ പറയുകയാണെങ്കിൽ "രാജ്യത്തിൻെറ ക്രഡിററ്" നഷ്ടപ്പെടാത്ത വിധത്തിലുമുള്ള ഒരു നിയമം ഉണ്ടാക്കേണ്ടതായിട്ടാണിരിക്കുന്നത്. മററു യാതൊരു പ്രേരണകൾക്കും വഴിപ്പെടാതെ ഇവിടത്തെ ജനതതി ഉദ്യോഗസ്ഥനെ കണ്ടാലും അനുദ്യോഗസ്ഥനെ കണ്ടാലും നിയമം പാസാക്കി കിട്ടണമെന്നു ആവശ്യപ്പെടുകയും അതിനു പുറമെനിന്നു പ്രവൎത്തിച്ചുകൊണ്ടിരിക്കയും ചെയ്യുന്നു. ജനങ്ങളെ സങ്കടപ്പെടുത്തുന്നതെന്താണെന്നുള്ള സംഗതി ഗവണ്മെൻറിൻെറ ദൃഷ്ടിയിൽ കൊണ്ടുവരണമെന്നാണു ഞാൻ ഉദ്ദേശിക്കുന്നതു്. കടക്കാരെ രണ്ടു വിഭാഗമായി വിഭജിക്കണമൊ വേണ്ടയൊ എന്നുള്ളതിനെപ്പററിയാകുന്നു മെമ്പരന്മാരുടെ മുമ്പാകെയും ഗവണ്മെൻറിൻെറ സമക്ഷത്തും എനിക്കു പ്രസ്താവിക്കുവാനുള്ളതു്. എൻെറ മാന്യസ്നേഹിതൻ മിസ്റ്റർ എസ്സ്. കൃഷ്ണയ്യരുടെ അഭിപ്രായത്തെ ആദരിച്ചു ആലപ്പുഴ കച്ചവടക്കാർ ഇന്നു ഒരു നിയമം പാസാക്കേണ്ട ആവശ്യമില്ലെന്നു പ്രഖ്യാപനം ചെയ്യണമെന്നു വാദിക്കുന്നു. ഭാരതത്തിലെ സകല നാടുവാഴികളും ഗവണ്മെൻറുകളും ഉററു ചിന്തിക്കുകയും പല സ്ഥലങ്ങളിലും നിയമത്തിനു കാരണമാക്കുകയും ചെയ്തിരിക്കുന്ന ഒരു വിഷയം ഇവിടെ ആവശ്യമില്ലെന്നു ധൎമ്മരാജ്യഗവണ്മെൻറിൻെറ മുമ്പിൽ മുദ്രണം ചെയ്തു കടലാസു വയ്ക്കാൻ പണക്കാരായ ചിലർ ധൈര്യപ്പെട്ടതു് അവരുടെ കുടിലബുദ്ധികൊണ്ടു മാത്രമാണെന്നു ഗവണ്മെൻറു ധരിക്കണം. നിയമജ്ഞതയും ധനവും ഉള്ള മിസ്റ്റർ എസ്സ്. കൃഷ്ണയ്യരേപ്പോലെയുള്ള ഒരു മാന്യൻ ഇവിടത്തെ ജനങ്ങൾക്കു കടനിവാരണത്തിനായി ഒരു നിയമത്തിൻെറ ആവശ്യം ഇല്ലെന്നു പറയുന്നതനുസരിച്ചു അങ്ങു പ്രവൎത്തിക്കാൻ സന്നദ്ധനായാൽ ജനങ്ങളുടെ ഇടയിൽ ഗവണ്മെൻറിനെപ്പററി ഇപ്പോഴുള്ള വിശ്വാസം വിട്ടുപോകുവാൻ ഇടയുണ്ടു്.

സ്വയം നിൽക്കാൻ നിവൃത്തിയില്ലാത്ത കടക്കാൎക്കാണു് കൂടുതൽ സഹായം നൽകേണ്ടതു്. ഈ രാജ്യത്തെ കൎഷകർ രാജ്യത്തിൻെറ പുരോഗമനത്തിനുവേണ്ടി പ്രവൎത്തിച്ചുകൊണ്ടിരിക്കുന്നു എന്നുള്ളതു് അവിതൎക്കിതമത്രെ. കമ്മിററിറിപ്പോർട്ടിൻെറ ആദ്യഭാഗത്തു പറയുന്നതു ഇങ്ങനെയാ

ണ്. "നമ്മുടെ സാമ്പത്തികജീവിതത്തിലെ ഏററവും പ്രധാനപ്പെട്ടതും അത്ഭുതകരവുമായ പ്രത്യക്ഷലക്ഷണം മററു തൊഴിലുകളെ അപേക്ഷിച്ചുള്ള കൃഷിയുടെ ആധിക്യവും വ്യവസായവും വാണിജ്യവും ഈ പ്രധാനതൊഴിലിനെ ആശ്രയിച്ചിരിക്കുന്നുഎന്നുള്ളതാണ്" ഈ പ്രസ്താവനയെ മുൻനിർത്തി നോക്കുമ്പോൾ കർഷകൻെറ സ്ഥാനം എന്താണെന്നും സ്ഥിതിഭേദംകൂടാതെ അവനെ രക്ഷിക്കേണ്ടതാണെന്നും തെളിയുന്നു. അതേ റിപ്പോർട്ടിൽതന്നെ ൩൧-ാമത്തെ വിഭാഗത്തിൽ "വൻകടങ്ങളെ ഉൾപ്പെടുത്തുകയാണെങ്കിൽ നിർവ്വഹിക്കേണ്ട കടത്തിൻെറ മൊത്തം തുക കൊടുത്തുതീർക്കാൻ പാടില്ലാത്ത തരത്തിലായിത്തീരുമെന്നു പറയപ്പെടുന്നു." കൊടുത്തുതീർപ്പാൻ പ്രയാസമുണ്ടെന്നുള്ള കാരണത്താൽ ഇതിൻെറ മൌലികതത്വത്തിൽനിന്നും മാറുന്നതു ഇതിനെക്കാൾ ഭയങ്കരമായ ഒരു വിപത്തായിരിക്കും. യാതൊരു കൃഷിക്കാരനും കടം മുഴുവനും ഗവണ്മെൻറ് ഏറെറടുക്കണമെന്ന് ആവശ്യപ്പെടുന്നില്ല, ആദായം കുറഞ്ഞുപോയതുകൊണ്ടു കർഷകർ നഷ്ടപ്പെട്ടിരിക്കുന്നു; കാലോചിതമായ വ്യത്യാസങ്ങൾക്കനുസരണമായി കിട്ടുന്ന ആദായത്തിൻെറ തോതിനു കടം കൊടുത്തു തീർക്കത്തക്ക നിലയിലുള്ള ഒരു നിയമം മാത്രമാണ് അവർ ആവശ്യപ്പെടുന്നതു്. വൻകടക്കാരുടെ വസ്തുക്കൾ ഇന്നത്തെ പരിതസ്ഥിതി അനുസരിച്ചുള്ള സംഖ്യയ്ക്കു ഉത്തമർണ്ണൻ എടുക്കുന്നതിനു നിയമത്തിൽ വ്യവസ്ഥ ചെയ്യേണ്ടതാണ്. എൻെറ സ്വന്ത അഭിപ്രായത്തിൽ പറയുകയാണെങ്കിൽ കടക്കാരെ മൂന്നായി തിരിക്കാം. ൧. മുതലു കുറച്ചു കൊടുത്താലും കടം തീർക്കാൻ സാധിക്കാത്തവർ, ൨. കടം തീർക്കാൻ സ്വയം ശക്തിയുള്ളവർ, ൩. മുതൽ കുറച്ചുകൊടുത്താൽ കടം തീർക്കാൻ ശക്തരാകുന്നവർ, ഇങ്ങനെയുള്ള മൂന്നു വിഭാഗത്തിൽ ഭൂരിപക്ഷം കടക്കാരും മൂന്നാമത്തെ വിഭാഗത്തിൽ പെട്ടവരാകുന്നു. അവരെ കടം തീർക്കുന്നതിനു പ്രാപ്തിയുള്ളവരാക്കിത്തീർക്കേണ്ടതു് ഗവമ്മെൻറിൻെറ കടമയാകുന്നു.

കൃഷിക്കാരെ സംബന്ധിച്ചു പറയുമ്പോൾ എൻെറ മാന്യസ്നേഹിതൻ മി. വീരച്ചാറഡ്യാർ, അവക്ക് യാതൊരു ബുദ്ധിമുട്ടുമില്ലെന്നു പറയും. കപ്പലിൽ ചരക്കു കയററി കോളിളകുമ്പോൾ ഭയപ്പെടുന്ന കച്ചവടക്കാരെക്കാൾ കൂടുതലാണു മടവീഴ്ചയുണ്ടാകുമ്പോൾ ഉള്ള കൃഷിക്കാരൻെറ ഭയപ്പാടു്. എത്ര ഗംഭീരനായാലും മടവീഴ്ച കണ്ടാൽ ഭയപ്പെടാതിരിക്കയില്ല. ഒരിക്കൽ സർ. എം. കൃഷ്ണൻനായർ ഒരു മടവീഴ്ച കണ്ടു ഭയപ്പെടുകയും അതിൻെറ ഫലമായി വേണ്ട സഹായം ചെയ്തുകൊടുക്കുകയും ചെയ്തു. കുട്ടനാട്ടിൻെറ സ്ഥിതി എന്താണെന്നോ കുട്ടനാട്ടിലെ കർഷകരുടെ അവസ്ഥ

ഏന്താണെന്നോ തിരുവിതാംകൂർ ഗവൺമെൻറിനൊ ഗവൺമെൻറുദ്യോഗസ്ഥന്മാക്കോ യാതൊരു രൂപവുമില്ലെന്നു വ്യസനസമേതം പ്രസ്താവിക്കേണ്ടിയിരിക്കുന്നു. ഇന്നത്തെ സമർത്ഥനായ ചീഫ്സെക്രട്ടറി കുട്ടനാട്ടിൽ ജനിച്ച ആളാണെന്നിരുന്നാലും കർഷകരുടെ ദയനീയാവസ്ഥ യഥാർത്ഥരൂപത്തിൽ മനസ്സിലാക്കാൻ അദ്ദേഹത്തിനുപോലും കഴിഞ്ഞിട്ടില്ല. ൯൯-ലെ വെള്ളപ്പൊക്കത്തിനുശേഷം കുട്ടനാട്ടിലെ കർഷകൎക്കു ഉണ്ടായിക്കൊണ്ടിരിക്കുന്ന നാശം ഭയങ്കരമാണ്. സാധനങ്ങളുടെ വിലക്കറവിനെപ്പററി പലരും ഇവിടെ പ്രസ്താവിക്കുന്നതു കേട്ടു. എന്നാൽ സാധനങ്ങളുടെ കുറവിനെപ്പററി ആരും ഒന്നും പറയുന്നില്ല. തിരുവിതാംകൂറിന്റെ പല ഭാഗത്തും തേങ്ങ പകുതിയായി കുറഞ്ഞിട്ടുണ്ട്. അതുപോലെതന്നെ നെല്ലിന്റെ വിളവും കുറഞ്ഞു. ഈ നിലയിൽനിന്നുകൊണ്ടുതന്നെ ഞാൻ കഴിഞ്ഞപ്രാവശ്യം കുട്ടനാട്ടിൽ പുഴു വീഴുന്നതിനെ സംബന്ധിച്ച അടിയന്തിരപ്രമേയത്തെ പിൻതാങ്ങി സംസാരിച്ചുകൊണ്ടിരുന്നപ്പോൾ ഓരുകൊണ്ടു കുട്ടനാട്ടിനു നേരിട്ടുകൊണ്ടിരിക്കുന്ന വിഷമതകളെ ചൂണ്ടിക്കാണിച്ചു. അതുകേട്ടു എന്റെ മാന്യസ്നേഹിതന്മാർ പലരും മന്ദഹാസം തൂകി. ഇന്നിവിടെ കിട്ടിയ വർത്തമാനം കുട്ടനാട്ടിൽ ഓരിന്റെ ഉപദ്രവംകൊണ്ടു് വലിയ നഷ്ടം ഉണ്ടായിട്ടുണ്ടെന്നാണ്. ജനപ്രതിനിധികൾ പ്രസ്താവിക്കുന്നസംഗതികളിൽ അധികാരികൾ വേണ്ട ശ്രദ്ധ പതിപ്പിച്ചു പരിഹാരമാർഗ്ഗങ്ങൾ കൈവരിക്കാതിരുന്നാലുള്ള ഫലമെന്തായിരിക്കുമെന്നുള്ളതിനു ഉദാഹരണമായി ഈ കാര്യം ഊന്നിപ്പറഞ്ഞുവെന്നേയുള്ളു.

മി. ടി. പി. വേലായുധൻപിള്ള കർഷകരുടെ സ്പെക്കുലേഷനെപ്പററി—സ്പെക്കുലേഷന്റെ മലയാള തർജ്ജിമ എന്താണെന്നു പലരോടും ചോദിച്ചിട്ടും മനസ്സിലായില്ല. അതുകൊണ്ടു സ്പെക്കുലേഷൻ എന്നതന്നെ ഞാനും ഉപയോഗിക്കാം—പ്രതിപാദിച്ചു. കുട്ടനാട്ടിലെ യഥാർത്ഥസ്ഥിതിയെപ്പററി ഞാൻ പറയുമ്പോൾ അവിടത്തെ കൃഷിക്കാർ വെറും സ്പെക്കുലേറേറഴ്സ് ആണോ എന്നു മനസ്സിലാകും. പാട്ടം വാങ്ങി ആയിരപ്പറ നിലം കൃഷിചെയ്യുന്നതു് ഒരു വലിയ കാര്യമല്ല. ചില പ്രത്യേക പരിതസ്ഥിതികൾക്കു വിധേയമായതുകൊണ്ടു കുട്ടനാട്ടിൽ പാടശേഖരമായിട്ടല്ലാതെ കൃഷി ഇറക്കാൻ നിവൃത്തിയില്ല. മി. എൻ. കൃഷ്ണയ്യരും മി. എം. കെ. അനന്തശിവയ്യരും ഇതിനു സാക്ഷ്യം വഹിക്കും. കൃഷി ഇറക്കുന്നതിനു വാങ്ങിക്കുന്ന നെല്ലും പണവും കർഷകർ തിരിച്ചു കൊടുത്തുകൊണ്ടാണിരുന്നതു്.

MR. M. K. ANANTHASIVA AIYAR : അതാതാണ്ടത്തെ കൃഷിക്ക് വാങ്ങിക്കുന്ന കടം അതാതാണ്ട് വിളവെട്ടുക്കുമ്പോൾ കൊടുത്തുതീർക്കാറില്ലേ?

MR. THOMAS CHANDY MUKKADAN : അങ്ങിനെയായിരുന്നു കുട്ടനാട്ടിലെ സമ്പ്രദായം. ആയിരപ്പറ നിലം കൃഷിയുള്ളവന് ൮൦൦൦ പറ നെല്ല് കൂലിച്ചിലവുവരും. ഇതിൽ ൬൦൦൦ പറ നെല്ല് നെല്ലായിട്ടും ബാക്കി പണമായിട്ടുമാണു ചിലവാകുന്നതു. ൧൨ ൭·ൽ പറയ്ക്ക് ൧൩ ചക്രമുണ്ടായിരുന്ന നെല്ലിന്റെ വില ൧൯൨൭ ആയപ്പോൾ ൮ ചക്രമായി കുറഞ്ഞു. മേടമാസത്തിൽ വിളവെട്ടുത്തപ്പോൾ അയ്യായിരം രൂപ കിട്ടുമെന്നു പ്രതീക്ഷിച്ചിരുന്ന നെല്ലിന് കന്നിമാസത്തിൽ വിൽക്കേണ്ട സമയമായപ്പോൾ പകുതിയായി കുറഞ്ഞു. നെല്ലിനു പെട്ടെന്നു വിലയിടിവു നേരിട്ടതു് കടവർദ്ധനവിന്ന് ഒരു പ്രധാന കാരണമാണ്. അളവിലുള്ള വ്യത്യാസം കുട്ടനാട്ടിലെ കർഷകരെ വല്ലാതെ ബാധിച്ചിട്ടുണ്ട്. ഈവക വിഷമതകൾക്ക് വിധേയന്മാരായതുകൊണ്ടു് ആണ് കുട്ടനാട്ടിലെ കർഷകർ അധികവും കടക്കാരായി തീർന്നതു്.

MR. M. SIVATHANU PILLAI : ൧൦൦ പറ നിലം കൃഷിചെയ്യാനുള്ളപ്പോൾ അതുകൊണ്ടു തൃപ്തിപ്പെടാതെ കൂടുതൽ നിലം കൃഷിചെയ്യാൻ പോകുന്നതുകൊണ്ടല്ലേ കൂടുതൽ കടം വന്നുചേർന്നതു്?

MR. THOMAS CHANDY MUKKADAN: കുട്ടനാട്ടിൽ പാടശേഖരമായി കൃഷിചെയ്യേണ്ട ആവശ്യകതയേപ്പററി ഞാൻ പ്രതിപാദിച്ചതിനു ശേഷവും വരുന്ന ഇപ്രകാരമുള്ള ബാലിശമായ ചോദ്യങ്ങൾക്ക് സമാധാനം പറയുന്നതു് എന്റെ അഭിമാനത്തിനു തന്നെ കുറവായി ഞാൻ വിചാരിക്കുന്നു.

MR. K. P. KOCHUKORA THARAKAN (*Member, Sri mulam Assembly*): കർഷകൻ കൃഷിക്കു കടംവാങ്ങിച്ചാൽ കൃഷിപ്പിഴ വരുന്ന കാലത്തു് മാത്രമല്ലേ തിരിച്ചു കൊടുക്കാതിരിക്കുന്നതു്?

MR. THOMAS CHANDY MUKKADAN : അതെ.

MR. KANNANTHODATH JANARDNAN NAIR, (*Member Sri Mulam Assembly*); നെല്ലു കടംകൊടുക്കുന്നതു് കൊടുക്കുന്ന ആളിന്റേയും കൂടെ ആവശ്യത്തിനാണെന്ന് ൧൯൨൮-ലെ റിപ്പോർട്ടിൽ മി. അനന്തശിവയ്യർ പറഞ്ഞിട്ടില്ലേ?

MR. THOMAS CHANDY MUKKADAN : അതു് തെററല്ല. കടം കൊടുക്കുന്നതും വാങ്ങിക്കുന്നതും ധനതത്വശാസ്ത്രപ്രകാരം ഇരുകൂട്ടരുടേയും ആവശ്യമാണ്. സമയച്ചുരുക്കം കൊണ്ടു് ഞാൻ അതു് വിസ്തരിക്കുന്നില്ല. കൊടുക്കൽ വാങ്ങലുകാർ തമ്മിലുള്ള മൈത്രി ഹൃദയാണ്ടു അനുരാഗത്തിന് തുല്യമാണ്. ആ മൈത്രി വിട്ടുപോകാത്ത നിലയിൽ ഇപ്പോൾ ഉണ്ടായിട്ടുള്ള പരിതസ്ഥിതികൾ പരിഹരിക്കണമെന്നാണ് ഞാൻ പറയുന്നതു്.

സർ, മദ്ധ്യവയസ്കനായ എന്നെപ്പോലെയുള്ള പലരും ജനിക്കുന്നതിനു മുമ്പ് കുട്ടനാട്ടിലെ കൃഷിക്കാർക്ക് ഗവണ്മെൻറിൽ നിന്നുതന്നെ നെല്ലും പണവും കടം കൊടുത്തുകൊണ്ടിരുന്നു. കർഷകൻെറ ലാഭം സ്വന്തലാഭമായി വിചാരിച്ച് അന്നുണ്ടായിരുന്ന പുഞ്ച നിലങ്ങളുടെ അതൃത്തിയിൽ മൂന്നു മൈൽ അകലത്തിൽ ഗവണ്മെൻറ് ഒരു ചിറ ഉറപ്പിച്ചു കൊടുത്തു. ഗവണ്മെൻറിൽ നിന്നും നൽകിക്കൊണ്ടിരുന്ന സഹായങ്ങളും ജീവിതാവശ്യങ്ങളുടെ വർദ്ധനവും ജനങ്ങൾ കർഷകവൃത്തിയിൽ കൂടുതലായി ഏർപ്പെടുന്നതിനു പ്രേരകമായി ഭവിച്ചു. ഈ ഘട്ടത്തിൽ സമർത്ഥന്മാരും പരിശ്രമശീലരുമായ ഏതാനും കർഷകർ വമ്പിച്ചതോതിലുള്ള കൃഷിയിൽ ഉൾപ്പെടുകയും ചെയ്തു. കൃഷിവർദ്ധനവോടുകൂടിയാണു നാട്ടിലെ ഇടത്തരം മുതലാളിമാരോടു കർഷകർ കടം വാങ്ങുവാൻ തുടങ്ങിയതു്. കൃഷി ആദായകരമെന്നു കണ്ടതോടുകൂടി പണക്കാർ കർഷകരെ പണംകൊടുത്തു വളരെ സഹായിച്ചു. അക്കാലങ്ങളിൽ കൊടുക്കൽ വാങ്ങൽ ശരിയായി നടന്നുകൊണ്ടുമിരുന്നു. അധഃപതനത്തോടുകൂടിയാണു ഈ നിലയ്ക്കു അന്തരംവന്നതു്. ൧൦൧-ലെ ശ്രീമൂലം പ്രജാസഭയിൽ കുട്ടനാട്ടിനെ പ്രതിനിധീകരിച്ചു ഞാൻ സമർപ്പിച്ച നിവേദനത്തിൻെറ ഫലമായി അന്നത്തെ ദിവാൻ മി. വാട്ട്സ് ഔദ്യോഗികമായി കുട്ടനാട് സന്ദർശിക്കയും അവിടത്തെ സ്ഥിതിഗതികൾ കണ്ടു് മനസ്സിലാക്കി വേണ്ട ആനുകൂല്യങ്ങൾ നൽകാമെന്നു് വാഗ്ദത്തം ചെയ്കയും ചെയ്തു. അക്കാലം മുതൽക്കാണു കുട്ടനാട്ടു കാര്യങ്ങൾ തന്നെ, ഗവണ്മെൻറു ദൃഷ്ടിയിൽ പെടാൻ തുടങ്ങിയതു്. നിയമനിഷേധമുള്ള യാതൊരു പ്രസ്ഥാനങ്ങളിലും കുട്ടനാട്ടിലെ തൊഴിലാളികൾ ആരും ഉൾപ്പെട്ടിട്ടില്ലെന്നുള്ള പരമാർത്ഥം ഞാൻ തുറന്നു പറയുന്നു. ആലപ്പുഴ തൊഴിലാളി പ്രക്ഷോഭണമുണ്ടായപ്പോൾ പോലും കുട്ടനാട്ടിലെ തൊഴിലാളികൾ പ്രത്യേകിച്ചും പുലയർ അതിൽ കൂടാത്തതു് കുട്ടനാട്ടിലെ കർഷകർ അവരെ രക്ഷിക്കുന്നതുകൊണ്ടു മാത്രമാകുന്നു. കടം വാങ്ങിച്ച് കൃഷിചെയ്യുന്ന കർഷകർ തങ്ങളുടെ സന്താനങ്ങളെപ്പോലെയാണ് തൊഴിലാളികളെ വീക്ഷിക്കുന്നതു്. വൻകൃഷിചെയ്യുന്ന കർഷകർ അനേകം തൊഴിലാളികളുടെ രക്ഷിതാക്കളാണു. അവരുടെ ശക്തിയും പ്രേരണയും കൊണ്ടാണ് ഈ തൊഴിലാളികൾ അധികാരബഹുമാനവും നിയമാനുസരണശീലവുമുള്ളവരായി ഉറച്ചു നില്ക്കുന്നതു്. ഇങ്ങനെയുള്ള കൃഷിക്കാരനെ അവൻ സ്പെക്കുലേറററാണെന്നു് തള്ളി ആട്ടിപ്പായിച്ച് അധഃപ്പതിപ്പിക്കത്തക്കവണ്ണം പ്രവർത്തിക്കുന്ന പക്ഷം ദൂരത്തല്ലാത്ത ഭാവിയിൽ തിരുവിതാംകൂറിലെ

സൽകീർത്തിയും അഭിവൃദ്ധിയും അസ്തമിച്ചുപോകുമെന്ന് ഞാൻ ഉൽബോധിപ്പിച്ചുകൊള്ളട്ടെ.

കടക്കാരെ രണ്ടായി തരംതിരിക്കാൻ പാടില്ലെന്നാണ് എനിക്ക് പ്രധാനമായി പ്രതിപാദിക്കുവാനുള്ളത്. കടം കൊടുത്തു തീർപ്പാൻ ശേഷിയുള്ളവനേയും ഇല്ലാത്തവനേയും നോക്കി സ്ഥിതിഭേദം അനുസരിച്ചു നിയമത്താൽ സഹായിക്കുകയാണ് വേണ്ടത്. ഇത് ഏററവും ഗൌരവമായ സംഗതിയാകുന്നു.

കമ്മിററിറിപ്പോർട്ടിനെ സംബന്ധിച്ച് എനിക്കു ഒരു സംഗതി പറയുവാനുണ്ട്. തിരുവിതാംകൂറിലെ ഒരു റിട്ടയാർഡ് ദിവാൻജി ആയിരുന്ന ഈ കമ്മിററിയിലെ പ്രസിഡണ്ട് എന്നു മററു പലരും പ്രശംസിക്കയുണ്ടായി. എനിക്ക് അതിൽ അഭിപ്രായവ്യത്യാസമില്ല. എന്നാൽ കമ്മിററിക്ക് വിട്ടുപോയ ഒരു സംഗതി ഈ സഭയുടേയും ഗവമെൻറിൻെറയും ശ്രദ്ധയിൽ കൊണ്ടുവരണമെന്നാണ് ഞാൻ ഉദ്ദേശിക്കുന്നത്. പണവ്യാപാരം പോലെതന്നെ പ്രധാനപ്പെട്ട ഒന്നാണ് നെല്ലു വ്യാപാരം. മി. കെ. ജാർജ്ജ് പ്രസിഡൻറായിരുന്ന കമ്മിററിറിപ്പോർട്ടിൽ ഇതിനെപ്പററി പ്രത്യേകം എടുത്തു പറഞ്ഞിട്ടുണ്ട്. ഓരോ കർഷകൻെറയും മുതലാളിമാരുടേയും കയ്യിൽ അളവു വ്യത്യാസമുള്ള പലമാതിരി പറകൾ ഉണ്ട്. അവകൾക്കു ഐകരൂപ്യം വരുത്തണം. ഇപ്പോൾ നിലവിലിരിക്കുന്ന നെൽകടങ്ങൾ ഏതു പറയ്ക്കു കൊടുത്തു തീർക്കണമെന്നു ഒരു പ്രശ്നമുണ്ടാകാം. തിരുവിതാംകൂറിൻെറ ഏതുഭാഗത്തും ആരു കൊടുത്താലും ഒരുരൂപയ്ക്ക് ൨ ചക്രം കിട്ടും. ഇത് ഒരു പരിവർത്തന ദശയാണ്. തെക്കൻ തിരുവിതാംകൂറിൽ അളവു ശരിപ്പെടുത്തിക്കഴിഞ്ഞിരിക്കുന്ന ഈ അവസരത്തിൽ രാജ്യത്ത് ആകമാനമുള്ള പറയ്ക്ക് നാണയത്തെപോലെ ഒരു ഐകരൂപ്യം വരുത്തണമെന്ന് കുട്ടനാട്ടിലെ തൊഴിലാളികളുടെ നാമത്തിൽ ഞാൻ അഭ്യർത്ഥിച്ചുകൊള്ളുന്നു.

എനിക്കു പ്രധാനമായി പറയുവാനുള്ളതു സകലവിധ കടക്കാരേയും നിവാരണപദ്ധതിയിൽ ഉൾപ്പെടുത്തണം എന്നാണ്. റിപ്പോർട്ടിൽ തന്നെ ഒരു ക്ലിപ്തകാലാവധിക്കകം കടം തീർത്താൽ ൨൦ ശതമാനം മുതൽ കുറച്ചു കൊടുക്കാമെന്ന് പറയുന്നുണ്ട്. ഉടനടി കടം തീർക്കുന്നവർക്ക് കൂടുതൽ സൌജന്യങ്ങൾ ചെയ്തുകൊടുക്കാമെന്ന് മുതലാളിമാർതന്നെ സമ്മതിക്കുന്ന സ്ഥിതിക്ക് അങ്ങനെയുള്ളവർക്ക് ൪൦ ശതമാനം കുറച്ചുകൊടുക്കുന്നതുകൊണ്ട് മുതലാളിമാർക്ക് യാതൊരു സങ്കടത്തിനും അവകാശമില്ല. കാലാവധിവച്ച് കടം തീർക്കുന്നവർക്ക് കാലാവധിയുടെ ഭേദം അനുസരിച്ചു അതായത് മൂന്നുകൊല്ലംകൊണ്ടു തീർക്കുന്നവർക്ക് ൨൦.൦, ആറു കൊല്ലം

കൊണ്ടു തീക്കുന്നവക്ക് ൧൯-ം ഒൻപതുകൊല്ലംകൊണ്ടു തീക്കുന്നവക്ക് ൧൦-ം ശതമാനം വീതം മുതൽ പലിശയിൽ കുറച്ചുകൊടുക്കണം. ഈ നിയമത്തിൻെറ പരിധിയിൽ ഒററിക്കടങ്ങളേയും ഉൾപ്പെടുത്തേണ്ടതാണ്. മി. വാരദ്ധ്യാറെഡ്യാർ വിധിനടത്തു നടപടികൾ ശരിയായി നടക്കുന്നില്ലെന്നു പറഞ്ഞു. അദ്ധ്യക്ഷസ്ഥാനത്തു് നിന്നും, കോടതിയിലെ വിധിനടത്തു നടപടികൾ, കഴിഞ്ഞു കിടക്കുന്ന വിധി നടത്തു നടപടികൾ, ഇവയെ, ഒരു നിയമം വന്നു കടക്കാക്ക് ഒരു ചെറിയ ആശ്വാസം കിട്ടുന്നതു വരെ നീക്കി വയ്ക്കുന്നതുകൊണ്ടു് യാതൊരു ദോഷവും വരാനില്ല.

കമ്മിററിയുടെ റിപ്പോട്ടിൽ ഒരു ഭാഗത്തു് കഷികർ തൊഴിലാളികളെ ഉപദ്രവിക്കുന്നു എന്നും ചൂഷണം ചെയ്യുന്നു എന്നും പ്രതിപാദിക്കുന്നതു വാസ്തവവിരുദ്ധവും, കഷകക്കു പൊതുവെ ആക്ഷേപകരവുമായ ഒരു സംഗതിയായതുകൊണ്ടു് "ചൂഷണം" എന്ന വാക്കു അതിൽനിന്നും എടുത്തു കളയണമെന്നു സർവ്വശക്തികളും പ്രയോഗിച്ചു് ഞാൻ അഭിപ്രായപ്പെട്ടുകൊള്ളുന്നു.

MR. M. K. MACKAR PILLAI (*Member, Sri Mulam Assembly*): സർ, ൧൦൯ മുതൽക്കാണു സാമ്പത്തികാധഃപതനം ഉണ്ടായതെന്നു പലരും പറഞ്ഞു. എന്നാൽ സാമ്പത്തികാഭിവൃദ്ധി ഉണ്ടായിരുന്നതെന്നാണെന്നു ആരും പറഞ്ഞു കേട്ടില്ല. മഹായുദ്ധം ൧൦൯൦-ൽ തുടങ്ങിയതിനുശേഷം ക്രമാതീതമായ സാമ്പത്തികാഭിവൃദ്ധി ഉണ്ടായി. ഈ അഭിവൃദ്ധി ൧൧൦൦ വരെ നിലനിന്നു. അക്കാലങ്ങളിൽ വസ്തു ഉടമസ്ഥന്മാക്കും കച്ചവടക്കാക്കും മററു വ്യവസായികൾക്കും ധാരാളം ആദായം കിട്ടിയിരുന്നു. ആ ആദായത്തെ ലാക്കാക്കി എല്ലാവരും ചിലവു വർദ്ധിപ്പിച്ചു. ക്രമത്തിലധികമായ ലാഭമുണ്ടായാൽ പിന്നീടു നഷ്ടവും വരുമെന്നു് ആരും കണക്കാക്കിയില്ല. ൯൦ മുതൽ ൱൦ വരെ ഉണ്ടായിരുന്ന സ്ഥിതിയാണു ൧൦൯-ന് ശേഷമുള്ളതു്. അങ്ങിനെ നോക്കുമ്പോൾ ഇവിടെ സാമ്പത്തികാധഃപതനം ഇല്ലെന്നാണു് ഞാൻ പറയുന്നതു്. ഒരു സാമ്രാജ്യമോ ഒരു കുഡുംബമോ അഭിവൃദ്ധികാലത്തു ധൂത്തടിച്ചു സുഖശീലാദികളിൽ ലയിച്ചിരുന്നാൽ അധോഗതി വരാതിരിക്കുവാൻ നിവൃത്തിയില്ല. പരിശ്രമം, മിതവ്യയശീലം ഇവ ആരേയും അഭിവൃദ്ധിപ്പെടുത്തുകയും, ധാരാളിത്വം, ധൂത്തു ഇവ ആരേയും അധഃപതിപ്പിക്കയും ചെയ്യും. ജനങ്ങളുടെ പരിശ്രമശീലത്തിൻെറ ഫലമാണു് ഗവമെൻറിനു പണം കിട്ടുന്നതു്.

തിരുവിതാംകൂറിലെ സ്ഥിതിവിവരക്കണക്കു നോക്കിയാൽ ഒരാൾക്കു ശരാശരി ൯൦ സെൻറു ഭൂമിക്കു അവകാശമുണ്ടു്. ഒരു കുഡുംബ

ത്തിന ൨൫ ഏക്കർ ഭൂമിവേണം. പരിശ്രമശീലവും മിതവ്യയശീലവുമുള്ള ഒരു കുഡുംബത്തിന ൨൫ ഏക്കർ ഭൂമികൊണ്ടു സുഭിക്ഷമായി കഴിക്കാനുള്ള സൗകര്യം ലഭിക്കുന്നതാണ്. ൫൦ സെൻറിനവകാശമുള്ള ഒരാൾ ആയിരവും രണ്ടായിരവും ഏക്കർ ഭൂമി കൈവശപ്പെടുത്തിവച്ചിരിക്കുന്നു. ഭൂസ്വത്താണ് അന്തസ്സ്. കച്ചവടക്കാരനേയോ വ്യവസായിയേയോ മുതലാളി എന്നു പറയുന്നത് വെറുതേയാണ്. നാട്ടിൻപുറങ്ങളിൽ ഭൂസ്വത്തുടമസ്ഥന്മാരാണ് വലിയ ആളുകൾ. ഈ കാരണത്താൽ പലരും കൂടുതൽ കൂടുതൽ ഭൂസ്വത്തു സമ്പാദിച്ചു തുടങ്ങി. ഞാൻ ഒരു തൊഴിലാളികുഡുംബത്തിൽ ജനിച്ചു ഒരു കച്ചവടക്കാരനായി. ഒരു വ്യവസായി ആയി. പക്ഷെ അന്തസ്സില്ല. പെണ്ണുകെട്ടാൻ അന്വേഷിച്ചിട്ടു ഭൂസ്വത്തില്ലാത്തതുകൊണ്ടു് പെണ്ണുപോലും കിട്ടിയില്ല. അതിനുശേഷം ഞാൻ ഭൂസ്വത്തു സമ്പാദിച്ചു. ഇപ്പോൾ ഞാൻ ഒരു കൃഷിക്കാരനാണ്. എല്ലാ തൊഴിലാളികളുടെ കാര്യങ്ങളെപ്പററിയും എനിക്കറിയാം. കൃഷിദോഷമാണ്, കൃഷിയിൽ ആദായമില്ല എന്നൊക്കെ പറയുന്നത്, എന്റെ അനുഭവംവച്ചുകൊണ്ട് നോക്കുമ്പോൾ വെറും പൊളിയാണ് എന്നു പറയാതെ നിവർത്തിയില്ല. ഇപ്പോഴും കച്ചവടത്തേക്കാളും വ്യവസായത്തേക്കാളും ലാഭകരമായി കൃഷിചെയ്യാൻ സാധിക്കും. റബ്ബർ കൃഷിയിൽ ൭൦ ശതമാനം ആദായമുണ്ട്, നെൽകൃഷിയിലും നല്ല ആദായമുണ്ട്. അതുപോലെതന്നെ ൪൦൦ ഏക്കർ ചേരിക്കൽ ഭൂമിക്കു ൪൫൦ രൂപാ കരമുണ്ട്. ആദായമില്ലെന്നു പറയുന്നു. അതും ശരിയല്ല. വേണ്ടതു വേണ്ടപ്രകാരത്തിൽ ചെയ്താൽ നല്ല ആദായം കിട്ടും. പണക്കാരുടെ പക്കൽനിന്നും പണം കടംവാങ്ങി വേലക്കാരെക്കൊണ്ട് ജോലിചെയ്യിപ്പിച്ചു ആദായം എടുക്കുകയാണ് ഈ കൃഷിക്കാർ എന്നു പറയുന്നവർ ചെയ്യുന്നതു. ഇങ്ങനെ ഇടയ്ക്കുനിന്നു, ചൂഷണം ചെയ്യുന്നു എന്നു പറഞ്ഞാൽ എല്ലാവർക്കും രസമാവുകയില്ലായിരിക്കാം. എങ്കിലും അങ്ങിനെ തന്നെ പറയേണ്ടിയിരിക്കുന്നു. ഒരു കുഡുംബം നടത്താൻ ൪൦ പറ നിലം കൃഷിചെയ്താൽ മതി. ആയിരപ്പറ നിലവും മററും കൃഷിചെയ്യുന്നതു കേമന്മാരാകാനാണ്. അതിനാലാണ് കടം വന്നുചേർന്നതു്. കടം വാങ്ങിയിട്ടുള്ളവരെല്ലാം കൊടുക്കും. കൊടുക്കാൻ നിവൃത്തിയില്ലാത്തവരുടെ കാര്യംവേണം നോക്കാൻ.

കച്ചവടക്കാർക്കു റിലീഫ് കൊടുക്കേണ്ട ആവശ്യമില്ലെന്നു പറഞ്ഞു. കച്ചവടക്കാർക്കാണ് റിലീഫിന്റെ ആവശ്യം വളരെയുള്ളതു്. അവരാണ് ഈ കർഷകരെ രക്ഷിക്കുന്നതു്. അതു മുറയ്ക്കു നടന്നുകൊണ്ടിരിക്കണമെങ്കിൽ കച്ചവടക്കാരന്റെ ക്രെഡിററു പോകാതിരിക്കണം. അതുകൊണ്ട് അവരെയും രക്ഷിക്കണം.

൫൦ ൭-നു മുമ്പു കൊടുത്തിട്ടുള്ള കടങ്ങളെ സംബന്ധിച്ചെല്ലാം കേസുകൊടുത്തു കഴിഞ്ഞു. കേസു കൊടുക്കാതിരിക്കുന്നുണ്ടെങ്കിൽ പലിശ ശരിയായി കിട്ടിക്കൊണ്ടിരുന്നിരിക്കണം. അതുകൊണ്ടു ഡിക്രിയായിട്ടുള്ളതോ അല്ലെങ്കിൽ കോടതിയിൽ കിടക്കുന്നതോ ആയ കടങ്ങൾക്കുമാത്രം റിലീഫ് കൊടുത്താൽ മതി.

MR. A. K. KUMARAN VAIDYAN (*Member, Sri Mulam Assembly*): കേസുകൊടുത്തശേഷവും ൫൦൦൦ രൂപാ കടവും ഒരു ലക്ഷം രൂപാ സ്വത്തുമുള്ള ഒരുവൻ പണം കൊടുക്കാതിരിക്കുന്നുവെങ്കിൽ അയാൾക്കും റിലീഫ് കൊടുക്കണോ?

MR. M. K. MACKAR PILLAI: മര്യാദയായിരുന്നാൽ കേസു കൊടുക്കയില്ല, കേസു കൊടുത്തുപോയാൽ പണം കിട്ടാൻ നിവൃത്തിയില്ലാത്തതുകൊണ്ടാണെന്നു കണക്കാക്കണം.

൫൦ ൭-നു ശേഷമുണ്ടായിട്ടുള്ള ലേലങ്ങളെല്ലാം അസ്ഥിരപ്പെടുത്തണമെന്നു പറയുന്നു. ലേലം നടന്നതു പരസ്യമായിട്ടാണ്. അതിൽ അനീതി നടന്നു എന്നു പറയാനില്ല. അങ്ങനെയാണെങ്കിൽ ൫൦ ൫ലൊമറെറാ എഴുതിക്കൊടുത്ത തീറാധാരം തന്നെ തെററിദ്ധരിപ്പിച്ചു എഴുതിക്കൊടുപ്പിച്ചതാണെന്നും, ആ ആധാരം അസ്ഥിരപ്പെടുത്തണമെന്നും ഇനി പറഞ്ഞു എന്നുവരാം. അതിനിടയാക്കരുത്. ഡിക്രിയായതും, വിസ്താരത്തിലിരിക്കുന്നതുമായ കടമിടപാടുകൾക്കു പലിശ കുറയ്ക്കുകയോ മുതൽ കുറച്ചുകൊടുക്കയൊ ചെയ്യുന്നതുകൊണ്ടു തരക്കേടില്ല.

പ്രക്ഷോഭണംകൊണ്ടു ഈ കാര്യത്തിൽ വിജയം നേടിക്കളയാമെന്നു ജനങ്ങളെ ഭയപ്പെടുത്തുന്നവരുണ്ട്. പ്രക്ഷോഭണത്തെ മുളയിലേ നുള്ളിക്കളയണം. ഗവണ്മെൻറിനോടു നൈരാശ്യമോ വൈരാഗ്യമോ ഉള്ള കുറേപ്പേർ സ്റ്റേററുകാൺഗ്രസിൽ ചേർന്നു. അതുപോലെ പലരും ഈ പ്രക്ഷോഭണത്തിലുമുണ്ടാകാം. ആദ്യം കടക്കാരുടെ പരാതികൊണ്ടു ഗവണ്മെൻറു ഒരു നിയമമുണ്ടാക്കി. അതുപോരാ വേറൊരു നിയമംവേണമെന്നു ഇപ്പോൾ പറയുന്നു. ഈ നിയമം പാസായി കുറേ കഴിയുമ്പോൾ വേറൊരു നിയമം വേണമെന്നു പറയും. ഈവക സംഗതികളൊന്നും അനുവദിക്കരുതു.

കോർട്ടുലേലത്തെപ്പററി പറയുകയാണെങ്കിൽ എൻെറ അറിവിൽപെട്ട ഒരു സംഗതി ഇവിടെ അറിയിക്കാം. ൭൦൦ രൂപാ വിലയുള്ള ഒരു വസ്തു, ലേലത്തിൽ വിററപ്പോൾ അതിനു ൫൦൦൦ രൂപാ വിലയുണ്ടെന്നും ലേലം അസ്ഥിരപ്പെടുത്തണമെന്നും പറഞ്ഞു പ്രതി ഒരു ഹർജി കൊടുത്തു. (*President's Bell.*)

MR. K. P. KOCHUKORA THARAKAN : സർ, ഋണവിമോചനവിഷയത്തിൽ ഇന്നിവിടെയുള്ള (തിരുവിതാംകൂറിലുള്ള) കടക്കാരെ വലിയ കടക്കാരെന്നും ചെറിയകടക്കാരെന്നും അതിൽതന്നെ കൃഷിക്കാരനെന്നും വ്യവസായി എന്നും കച്ചവടക്കാരെന്നും തിരിക്കേണ്ട ആവശ്യമുണ്ടോ എന്നാണു ഒരു പ്രശ്നമുണ്ടായിരിക്കുന്നതു്. അതിൽതന്നെയും ചിട്ടിക്കാരെന്നും ബാംകുകാരെന്നും കോവാപ്പറേററിവ് സൊസൈററിയെന്നും പല വിഭാഗക്കാരെ ഉൾപ്പെടുത്തണമോ വേണ്ടയൊ എന്നും അഭിപ്രായവ്യത്യാസമുണ്ടു്. പൊതുവെ എനിക്കു പറയാനുള്ളതു ഈ വ്യത്യാസമൊന്നും ആവശ്യമില്ലെന്നും തിരുവിതാംകൂറിലെ സകലവിധമായ കടക്കാരെയും ഉൾപ്പെടുത്തിയുള്ള ഒരു നിയമമാണു ആവശ്യമുള്ളതു എന്നും ആണ്. കടമുണ്ടായതു എന്തു കാരണവശാലെങ്കിലും ആയിക്കൊള്ളട്ടെ. നശിക്കണമെന്നു കരുതിക്കൂട്ടി ആരും കടംവാങ്ങിച്ചിരിക്കാൻ ഇടയില്ല. തിരുവിതാംകൂറിലെ കൃഷിക്കാരനേയും കച്ചവടക്കാരനേയും വ്യവസായിയേയും വൈദ്യനേയും തിരിച്ചെടുക്കുന്നതു അത്ര എളുപ്പമല്ല. കൃഷിക്കാരൻെറ പണം കച്ചവടക്കാരൻെറ കയ്യിലും വ്യവസായിയുടെ പണം കൃഷിക്കാരൻെറ കയ്യിലും ധാരാളം കാണും. അതിനാൽ ഒരു തരക്കാരെ ഒഴിവാക്കിയാൽ അക്കൂട്ടർക്കു് പലവിധ പ്രയാസങ്ങൾക്കും നഷ്ടങ്ങൾക്കും ഇടയുണ്ടു്. അതിനാൽ എല്ലാവരേയും ഒരുപോലെ സംബന്ധിക്കുന്ന ഒരു നിയമമാണ് ഇന്നിവിടെ ആവശ്യമായിരിക്കുന്നതു്. എൻെറ സ്നേഹിതൻ മിസ്റ്റർ മക്കാർപിള്ള പറഞ്ഞതുപോലെ കോടതിയിൽ പോയിട്ടുള്ള വക്കീലന്മാർക്കും റിലീഫ് മതിഎന്നു പറയുന്നതു ശരിയല്ല. അങ്ങിനെ വന്നാൽ ആരും ഇനിയും പണം കൊടുത്തുതീക്കാതെ എല്ലാം വ്യവഹാരത്തിനിടയാക്കുന്നതും അതു വലിയ കുഴപ്പത്തിനും നഷ്ടത്തിനും ഇടയാക്കുന്നതും ആയിരിക്കും. ഗവമ്മെൻറു പണം കൊടുത്തു കടക്കാരെ സഹായിക്കാം എന്നു വിചാരിക്കുന്നതും ശരിയല്ല. ക്രഡിററും ഡെററും തമ്മിൽ തീരുന്നതിനുള്ള മാധ്യസ്ഥം മാത്രം ഗവമ്മെൻറു ഏറെറടുത്താൽ മതിയാകും. പണം കൊടുത്ത കാലത്തു വസ്തുക്കൾക്കു ഉണ്ടായിരുന്ന വിലയ്ക്കു ഡെററുടെ വസ്തു ക്രഡിററർ എടുക്കുകയാണ് വേണ്ടതു്. ഇപ്പോഴത്തെ വസ്തുക്കൾക്കുള്ള വിലക്കുറവു കണക്കാക്കാതെ പണമിടപാടു നടന്നകാലത്തെ വിലയ്ക്കു വസ്തു എടുക്കുന്നതുകൊണ്ടു് ക്രഡിററർക്കു് നഷ്ടമൊന്നും വരാനില്ല. ഇന്നു ക്രഡിററർ ചെയ്യുന്നതു അയാൾക്കു ഈടാകാനുള്ള സംഖ്യയ്ക്കു അന്യായംകൊടുത്തു വിധിപ്പിച്ചു വിധിനടത്തി വസ്തുക്കൾ മുഴവൻ ലേലത്തിൽ വില്പിക്കുകയാണു്. ൧൦൦൦ രൂപായുടെ വസ്തു ൧൦൦ രൂപായ്ക്കോ ൫൦

ശ്രൂപായ്ക്കൂതന്നെയുമൊ ലേലത്തിൽ പോകുന്നില്ല. കാരണം ആളുകളുടെ കൈവശം പണമില്ലാത്തതാണ്. ക്രഡിററർ ഉദ്ദേശിക്കുന്ന വിലയാണ് ഇന്നു വസ്തുക്കളുടെ വിലയായിരിക്കുന്നതു്. അതുഡാറർക്കു വലിയ നഷ്ടവും അവനെ നിർദ്ധനനാക്കി തീക്കുന്നതുമാണ്. അതിനാൽ ഗവമ്മെൻറു പണംകൊണ്ടു കൃഷിക്കാരെ സഹായിക്കേണ്ട ആവശ്യമശേഷമില്ല. ഇന്നു ഗവണ്മെൻറിൽ ഇരുപതൊ മുപ്പതൊ കോടി ശ്രൂപാ കെട്ടിയിരുപ്പുണ്ടായിരുന്നെങ്കിൽ പണംകൊടുത്തു കൃഷിക്കാരെ സഹായിക്കുന്നതുകൊണ്ടു് തരക്കേടില്ലായിരുന്നു. ഇന്നത്തെ സ്ഥിതിയതല്ല, ഗവമ്മെൻറിൽ വൻപിച്ചതുകകെട്ടിയിരിപ്പില്ല. പണംകൊണ്ടു കൃഷിക്കാരെ സഹായിക്കണമെങ്കിൽ ഗവണ്മെൻറു പണം കടമെടുക്കേണ്ടതായിട്ടാണിരിക്കുന്നതു്. അപ്രകാരം പണം കടമെടുക്കുന്നതിനു പോകാതെ ക്രഡിററരെയും ഡെററരെയും തമ്മിൽ വസ്തുക്കൾ കൈമാററം ചെയ്യിച്ച് ഇടപാടുകൾ അവസാനിപ്പിക്കണം. അതിനു ഇനിയും താമസം വരുത്തരുതു് എന്നാണു എനിക്കു പറയുവാനുള്ളതു്. താമസം വരുത്തുന്നപക്ഷം കൃഷിക്കാരുടെ വസ്തുക്കൾ മുഴുവനും ക്രഡിറററന്മാരുടെ കയ്യിൽ ചെന്നുചേരുന്നതിനു ഇനിയും താമസമില്ല. വസ്തുക്കളിൽ ഒരു വലിയ ഭാഗം ലേലത്തിൽ വിററുകഴിഞ്ഞു. ഇനിയുമുള്ള വസ്തുക്കൾഎങ്കിലും ലേലത്തിൽ പോകാതെ കൃഷിക്കാരെ രക്ഷിയ്ക്കുകയാണ് വേണ്ടതു്.

ഇന്നു് ലേലത്തിൽ പോകുന്ന വസ്തുക്കളെ എല്ലാം പിടിക്കുന്നതു മുതലാളിമാരാണ്. അതുതന്നെയും അവക്കു ഈടാകുവാനുള്ള സംഖ്യയിൽ കുറഞ്ഞ തുകകൾക്കുമാണ്. അങ്ങിനെ ചെയ്യുന്നതിൽ ഭേദം ലേലം ചെയ്യുന്നതിനു മുൻപുതന്നെ ഉത്തമവിശ്വാസത്തോടുകൂടി ആ വസ്തുക്കളെ അതിൻെറവിലക്കു അവക്കായിട്ടു വിട്ടുകൊടുക്കുന്നതാണ് നല്ലതു്. ൫൦,൦൦൦ ശ്രൂപ വിലയുള്ള വസ്തു ഒരാൾ ൧൦൦൦ ശ്രൂപക്കു് ലേലത്തിൽ പിടിക്കുന്നു. ഈ ൧൦൦൦ ശ്രൂപായ്ക്കു ലേലത്തിൽ വില്ക്കുവാൻ ഇടവരുത്താതെ കോടതിയുടെ മദ്ധ്യസ്ഥതയിൽ ൫൦,൦൦൦ ശ്രൂപാ വിലയുള്ള വസ്തു ആ വിലക്കുതന്നെ വില്പിച്ച് എടപാടു അവസാനിപ്പിക്കേണ്ടതാണ്. അപ്രായമുള്ള കടത്തിനുള്ള വസ്തു ന്യായമായ വിലക്കു കടംകിട്ടാനുള്ളയാൾ പിടിക്കണം. ബാക്കിയുണ്ടെങ്കിൽ അതു കടക്കാരനും കിട്ടണം. കടത്തിൽ മുങ്ങിക്കിടക്കുന്നവനു ൫/൪ കടംഒഴിച്ച് വിട്ടുകൊടുക്കണം. ഇങ്ങനെ ചെയ്യുമ്പോൾ വേറൊരുസംഗതികൂടി ചെയ്യേണ്ടതുണ്ടു്. വസ്തുക്കളില്ലാതെ വരുന്നവക്കു തിരുവിതാംകൂറിലെ റിസർവ്വ് വനങ്ങളിൽ

നിന്നും മന്നാങ്കണ്ടം മുതലായ സ്ഥലങ്ങൾ ജനങ്ങൾക്കു പതിച്ചുകൊടുത്തതുപോലെ പതിച്ചുകൊടുക്കണം. അപ്രകാരം ചെയ്താൽ കരം മുതലായ ഇനത്തിൽ ധാരാളം പണം ഗവണ്മെൻറിനു ലഭിക്കുന്നതും ജനങ്ങൾക്കു ഉപജീവനമാർഗ്ഗമുണ്ടാകുന്നതുമാണു.

ഇപ്പോഴുള്ള കടങ്ങളെയെല്ലാം ഗവമ്മെൻറിൽനിന്നും ഏറെറടുത്തു കൊടുത്തുതീക്കാൻ ശ്രമിക്കുകയാണെങ്കിൽ അതു ഗവമ്മെൻറിനെ വിഷമിപ്പിക്കുന്ന ഒരു സംഗതിയാണെന്നാണ് എനിക്കു പ്രധാനമായി പറയാനുള്ളതു്. പള്ളിവാസൽ സ്കീം മുതലായ വലിയ പദ്ധതികൾ നടപ്പിലാക്കുന്നതിന് ഗവമ്മെൻറു് വൻപിച്ച സംഖ്യകൾ ചിലവാക്കിക്കൊണ്ടിരിക്കുന്ന ഈ സന്ദർഭത്തിൽ ഋണനിവാരണത്തിനായി എട്ടോ പത്തോ കോടി രൂപായുടെ കടമെടുക്കാൻ നിശ്ചയിക്കുന്നുവെങ്കിൽ ഗവമ്മെൻറിൻെറ ഋണഭാരം വർദ്ധിക്കുന്നതിനും തന്നിമിത്തം പല വിഷമങ്ങളും വന്നുചേരുന്നതിനും സംഗതിയായിത്തീരുന്നതാണ്. അതുകൊണ്ടു ഗവർമ്മെൻറിൽനിന്നും കൃഷിക്കാക്ക് പണംകൊടുത്തു അവരുടെ കടംതീക്കാമെന്നു് ഉദ്ദേശിക്കുന്നതു് ഒരിക്കലും ബുദ്ധിപൂർവ്വമല്ലെന്നാണ് എൻെറ അഭിപ്രായം. ഇതു, കൃഷിവായ്പമുതലായ ഇനങ്ങൾ കൊടുത്തു പിരിച്ചിട്ടുള്ള പത്തുപതിനഞ്ചുകൊല്ലത്തെ അനുഭവവും വച്ചുകൊണ്ടാണ് ഞാൻ ഇപ്രകാരം പറയുന്നതു്. കർഷകൻെറ കടം തീരുക എന്നു പറയുന്നതിൻെറ അത്ഥം മുതലാളിക്കു കിട്ടുവാനുള്ള പണം കിട്ടുന്നു എന്നാണ്. കർഷകനു് ലഭിക്കുന്ന ഓരോ രൂപയും ചെന്നുചേരുന്നതു മുതലാളിയുടെ കയ്യിലാണ്. ആ പണംകൊടുത്തു സാധുക്കളായ കടക്കാരുടെ വസ്തുക്കളെ ഗവമ്മെൻറിലേക്കുള്ള തവണകൾക്കു പണം കടംകൊടുത്തു എഴുതിവാങ്ങിച്ചു കൈക്കലാക്കുന്നതിനു മുതലാളിക്കു കൂടുതൽ സൗകര്യം കൊടുക്കുകയാണ് ചെയ്യുന്നതു്. മുപ്പതോ, നാല്പതോ വർഷത്തെ തവണ വച്ചെങ്കിലും കൊടുത്തപണം തിരിച്ചു വാങ്ങിക്കാൻ സാധിക്കുമെന്നിരുന്നാലും അതിന് ഗവമ്മെൻറിൽനിന്നും കർശനനടപടികൾ നടത്തേണ്ടിവരികയും തൻനിമിത്തം പലരുടേയും വസ്തുക്കൾ കുറഞ്ഞവിലയ്ക്കു മുതലാളിയുടെ കൈവശം ചെന്നുചേരുന്നതിനും അനേകായിരം ആളുകൾ അവരുടെ വസ്തുവിൽ നിന്നും ശരിയായ പ്രതിഫലംകൂടാതെ ഇറങ്ങിപ്പോകുന്നതിനും സംഗതിയായിത്തീരുന്നതാണ്. അതുകൊണ്ടു ഞാൻ മുൻപു പറഞ്ഞതുപോലെ ലേലം നടത്തുന്നതിന് മുൻപുതന്നെ മുതലാളിക്ക് വസ്തു അതിനുള്ള ശരിയായ വിലയ്ക്കു കൊടു

പ്പിക്കുന്നതാണ് നല്ലതു. കടനിവാരണംചെയ്യുന്നതിനുള്ള ഒരു ബിൽ അത്യാവശ്യമാണോ അല്ലയോ എന്നുള്ള സംഗതിയിൽ ആക്കും സംശയത്തിനു വകയുണ്ടെന്നു തോന്നുന്നില്ല. എൻെറബഹുമാന്യ സ്നേഹിതൻ മി. അബ്ദുൽകരിം പ്രസ്താവിച്ചതുപോലെ ഡെററ് റിലീഫ് അല്ല ചെയ്യുന്നതു ഡെത്ത് റിലീഫ് ആണ ചെയ്യുന്നതു എന്നു ഗവർമ്മെൻറ് ഓക്കേണ്ടതാണ്. അതുകൊണ്ടു കഴിവുള്ളിടത്തോളം വേഗത്തിൽ ഒരു നിയമം നിയമസഭയിൽ അവതരിപ്പിച്ച് പാസ്സാക്കി അതിനെ ഉടനടി നടപ്പിൽ വരുത്തേണ്ടതു് എത്രയും അത്യാവശ്യമാണ്. നിയമത്തിൻെറ ഓരോ വകുപ്പുകളെപ്പററി ഇപ്പോൾ വിമർശിക്കണമെന്നു ഞാൻ വിചാരിക്കുന്നില്ല.

കടംവാങ്ങിച്ച പണം തിര്യേ കൊടുക്കാതെ കടക്കാർ മുതലാളിമാരെ വിഷമിപ്പിക്കുന്നു എന്നു മുതലാളിമാർ പറയുന്നു. കടക്കാരുടേ വസ്തുക്കളെയെല്ലാം മുതലാളിമാർ അന്യായമായി കൈവശപ്പെടുത്തുന്നു, എന്ന് കടക്കാർ മുതലാളിമാരെ കുററപ്പെടുത്തുന്നു. ഈ രണ്ടുക്കൂട്ടരിലും യോഗ്യന്മാർ ധാരാളമുണ്ട്. അതുപോലെ പല അയോഗ്യന്മാരും അക്രമികളും ഉണ്ട്. അത് ഒരു സമുദായത്തിനോ ഒരു വകുപ്പിനോ പ്രത്യേകമായിട്ടുള്ളതല്ല. ലോകത്തിൽ പൊതുവെ അങ്ങിനെയുള്ള ആളുകളെ നാം കാണുന്നുണ്ട്. എല്ലാ തരക്കാരുടെയിടയിലും നല്ലയാളുകളും ചീത്തയാളുകളുമുണ്ട്. അതുപോലെ ക്രഡിറേറഴ്സിലും ഡറേറഴ്സിലും ഉണ്ടെന്നേയുള്ളു. ഏതായാലും കഴിയുന്നതും വേഗത്തിൽ ഗവർമ്മെൻറു ഇതിലേക്കു ഒരു നിയമം പാസ്സാക്കേണ്ടതാണ്. ഒരാൾ കൊടുക്കുന്ന ആദായനികുതിയോ, കരമോ, മാനദണ്ഡമാക്കി അയാളെ ധനവാനെന്നോ ധനവാനല്ലന്നോ പറയാൻ പാടുള്ളതല്ല. ഒരു കർഷകൻെറ പേരിൽ ആദായനികുതി ചുമത്തി പണം ഈടാക്കിയ സംഗതി എനിക്കറിയാം. കർഷകനെ സംബന്ധിച്ച നോക്കുകയാണെങ്കിൽ ഒരാളിനു ഇരുപതോ ഇരുപത്തഞ്ചോ രൂപ കരംതീരുവ കാണുമെന്നിരുന്നാലും അയാളുടെ വസ്തുക്കൾ മുഴവൻ മുതലാളിക്കു എഴുതിക്കൊടുത്തു അയാളെ ആശ്രയിച്ച കഴിയുകയായിരിക്കും ചെയ്യുന്നതു്. മുൻപിലത്തെ ശ്രീമൂലം പ്രജാസഭയുടെ വോട്ടറന്മാരെ തിരിഞ്ഞെടുത്തുവന്ന കാലത്തു ഒരു പ്ലഷർകാർ ററാക്സി ഓടിച്ചുകൊണ്ടിരുന്നവനേ ആദായനികുതി ചുമത്തി വോട്ടർമാരുടേ ലിസ്റ്റിൽ ചേത്ത സംഗതി എങ്ങനെയെന്നു എനിക്കറിയാം. ആദായനികുതി ചുമത്തുന്നതു അതിൽ ഉള്ള ഉദ്യോഗസ്ഥന്മാരുടെ ഇഷ്ടാനിഷ്ടം പോലെയാണ്. അല്ലാതെ യാതൊരു തത്വത്തേയും അടിസ്ഥാനപ്പെട്ട

ത്തിയല്ല; അതുപോലെ റവന്യൂ ഉദ്യോഗസ്ഥന്മാർ, പോക്കുവരവുകൾ ചെയ്യാതെ വിററവസ്തുക്കളുടെ കരംകൂടി ചേർത്താണു കരം നിശ്ചയിക്കുന്നതു. കടലാസിൽ ഒരുതരത്തിലും വാസ്തവം വേറൊരു തരത്തിലും ആയിരിക്കും. ഈ വക കുഴപ്പങ്ങളൊന്നും ഉണ്ടാകാതെ മഹാരാജാവു തിരുമനസ്സിലെ പ്രജകൾക്കു എല്ലാവർക്കും ഒരുപോലെ ഗുണം സിദ്ധിക്കത്തക്കവിധത്തിലുള്ള ഒരു നിയമം കഴിയുന്നതും വേഗത്തിൽ നിയമസഭയിൽ അവതരിപ്പിച്ചു പാസ്സാക്കി നടപ്പിൽ വരുത്തണമെന്നു ഞാൻ ഗവർമെൻറിനെ ഉൽബോധിപ്പിച്ചുകൊള്ളുന്നു.

MR. N. NARAYANA KURUP (*Member, Sri Mulam Assembly*): Before expressing my views on certain doubts expressed by Government, I desire to make some observations on the other recommendations of the Committee with which the Government are in agreement. Sir, the G. O. appointing the Committee directed them to go into the whole question of indebtedness and to suggest ways and means for relieving the accumulated debt burden of the State, with special reference to agriculturists and the small industrialists, and to opine how far compulsion could be enforced. The long and short of the G. O., as I understood it, was to suggest means to give maximum relief to agriculturists and small industrialists and qualified relief to other debtors. In these circumstances, I fail to understand how the Committee can exclude the real agriculturists from the ambit of the relief measures. Section 3, clause (e) of the draft Bill excludes any liability arising out of a lease transaction from the ambit of the relief measures. That is, any liability arising out of a transaction in the nature of a lease including a kanapattom, which is more or less prevalent in central and north Travancore, is excluded from the ambit of the relief measures. The lessee is the real agriculturist who is the tiller and not the absentee landlord who gets his land cultivated through the lessee. The real agriculturist must therefore be relieved of the debt burden and the number of such real agriculturists is not small. From the statistics obtained by the Committee it was found that there were 4,000 pending lease suits to the value of Rs. 6 lakhs and about 20,000 pending decrees to the value of Rs. 23 lakhs. Therefore, at least 24,000 debtors will not be relieved if the shggestions of the Committee are to be adopted. Unless these debts amounting to about Rs. 29 lakhs which have been accumulated are also reduced and the debtors are allowed to pay the debt by instalments, their properties will be sold away by the creditors and they will be left penniless. Therefore I am strongly of the opinion that debtors on leases also should be brought within the ambit of the relief measures. The havoc and hardship that would otherwise be caused to them can best be illustrated by a single example. Suppose A has to pay an arrears of pattom in 1103 amounting to 300 paras of paddy and the creditor has sued him in 1103 when the price of paddy was Re 1 per para. By the lapse of 12 years now, including interest, the decree amount will come to Rs. 650 which is equivalent to 2,000 paras of

paddy, according to the present price. Such a man is not entitled to any relief according to the recommendations of the Committee as he is an agriculturist. On the other hand, suppose B who is not an agriculturist has executed a hypothecation deed for 300 paras of paddy in 1103 and the creditor has sued in 1103. In 1115 that debt will also come to Rs. 650. According to the recommendations of the Committee this man gets the benefit of the relief measures and including interest he has to pay only 600 paras of paddy and that by 8 years in 16 half-yearly instalments. I think such an invidious distinction is very unfair. Act III of 1112 did not exclude such debts.

Secondly, with regard to usufructuary mortgage, the mortgagor is excluded from getting any relief under the recommendations of the Committee. This is very unreasonable. In many cases it will be found that the mortgage has been the result of a series of transactions and sometimes decrees. In such cases the debtor has honestly given possession to prevent accumulation of interest. But a mere hypothecator who has not paid anything to the creditor and who has not surrendered possession of his property gets all the benefits under the recommendations of the Committee. His debt will be traced back and he has to pay only the principal and half the interest in instalments. In such mortgages also, if the mortgagor is allowed to trace back his debt and the interest at a rate allowed by the provisions calculated till date of surrendering his property and to fix the total as the mortgage amount for redemption, his debt burden will be relieved.

MR. R. SAMBASIVA AIYAR: Would the honourable member exclude voluntary sales?

MR. N. NARAYANA KURUP: I think that question does not arise now as there is no existing debt in those cases.

If we are not giving credit to the honesty and punctuality of the debtors, future payment of debts will not be regular.

Hence I submit that the debts under such usufructuary mortgages which are the culmination of a series of transactions should also be brought under the ambit of the relief measures.

The third point that Government has to take into consideration is the recommendation that no interest paid in excess of the interst allowed by the new provision shall be set off towards the principal. That, Sir, is the unkindest cut of all. The Committee found that the depression affected one and all without any partiality towards the biggest or the smallest creditor. Under such circumstances if a man has been paying interest punctually, we can more or less judge that it must have been paid by pledging some of his articles or other assets just to conninue his daily business. Therefore, I suggested in the Committee that all interest paid in excess allowed by the proposed relief measures should be set off towards the principal then and there. If the Government thinks that it is unjust, I think that all payments of interest should be set off towards the total amount found due from the debtors on the date of the application he has to file as per the recommendations of the Committee. (*President's bell.*)

Sir, having been a member of the Committee, I wish to point out to Government certain inequitous provisions recommended by the Committee.

PRESIDENT : I am afraid I can give the honourable member only three minutes more.

MR. N. NARAYANA KURUP : About the instalment, Sir, the Committee have recommended that by two half-yearly instalments 25% of the debt must be paid. To discharge this, one will have to incur another debt. This is inequitous. Hence the debtor should be allowed to pay each instalment when it falls due.

The next suggestion that I would make is that Section 31 of the Civil Procedure Code should be amended to check accumulation of interest hereafter. Before the introduction of Section 31 of the Civil Procedure Code no Court was able to decree an interest more than half the principal. At present, after the promulgation of Section 31, a suit can be filed for the principal and interest not exceeding half the principal and the Court can give a decree for the accumulated interest till the date of decree and interest on the total decree amount thereafter.

This is really a profitable transaction for the creditors. They are purposely slackening the execution because they can get interest on accumulated interest as well. Therefore, Section 31 of the Civil Procedure Code should be amended to check the accumulation of decree debts.

MR. R. SAMBASIVA AIYAR : Sir,......................

MR. N. NARAYANA KURUP : Sir, I am not going to yield.

I may here dwell upon two or three doubts that have arisen. I am of the opinion that all grades of debts should be included under the ambit of the relief measures. The reason that some big debtors are speculators or ambitious and that they shall not be allowed any benefit on that ground is not sound. It is impossible to distinguish between speculators and ambitious debtors and the genuine debtors. Further, these big debtors may be creditors of several small debtors totalling their debts. Their debtors will be paying only scaled down amounts by instalments at a time when they have to pay in full. If such big debtors are not given the same relief they will be compelled to pay in a lump. Act III of 1112 did not make any such limit. Hence no dividing line need be made. But the Government need not give them any financial assistance.

I am afraid that inclusion of debts incurred for the purpose of trade in the new Regulation will hinder the commercial progress of our State. The wholesale merchants borrow from banks and invest and as debtors they are not given any relief. The reasoning, that, as intermediate merchants deal with consumers who are allowed relief, the trade debt should be included, is incorrect. The last grade of merchants sell mostly for cash and what little they have to get is realised by one crop. But the wholesale merchants mostly sell on

credit and if they do not get relief as debtors to their creditors and if they are to get their dues by instalments, certainly they will be ruined.

The small creditors like widows shall be excluded if their amount is less than Rs. 2,000.

Almost all co-operators are agriculturists. The debt burden of every member of a Society is heavy. Unless that is reduced, many a poor agriculturist will be ruined. Hence interest may be reduced to 6% for co-operative debts also.

The Committee make a distinction between public banks and private incorporated banks. As the duties and risks in bussiness are the same to both and almost all private banks are debtors to the public banks they must also be given the very same privileges of the public banks just to continue their business. (*President's bell.*)

MR. K. NARAYANAPERUMAL NADAR (*Member. Sri Mulam Assembly*): Sir, the G. O. appointing the Committee to enquire into relief measures covers the whole debt problem in the State. It ought to have imposed some restriction on the Committee as to the classes of debtors to whom relief ought to be given or the extent of relief measures necessary. The Committee came to the conclusion not to exclude any debtor on account of his being heavily indebted or pecuniary status. Now, the question is whether it is practicable or possible for the State to give relief to all the debtors in the State. Certainly not. Small land-holders, small debtors who are becoming bankrupts, whose lands are passing into the hands of money lenders, particularly non-agriculturist money lenders, ought to be protected. If you carefully study the Money Lenders' Bill in Bengal or Assam or the Land-Alienation Bill in Bengal or in the Punjab, you will find that the guiding principle in these legislations is protection to the small cultivators or protection to the small debtors. This guiding principle did not engage the special attention of the Committee. Sir, the majority of the landholders in the State are very small. They form about 90%. The principle underlying every debt legislation in the whole world is that the needs of the majority should prevail over the needs of the minority. If you find that you are unable to protect the small holders, I believe that in the course of the next 25 or 30 years, 90% of the subjects of His Highness will be found walking along the streets and the country paving its way towards socialism as we see in Russia to day. If you are to be guided by the statement of the Committee constituted for the purpose in Madras that lands of the small cultivators are passing into the hands of the money lenders, I say that what is stated in reference to Madras is applicable with greater force to Travancore.

Another matter is that relating to voluntary system of concilia-tion. Voluntary conciliation of debts failed not only in Travancore, but in every part of British India too, and therefore the Committee have recommended the compulsory scaling down. Now, the question is who is to repay the scaled down debt? Certainly, Government must come forward in this connection. Regarding this matter, the Chief

Conciliation Officer has made a statement and it is published at page 33 of the report. Regarding this aspect of the question, the Honourable the Finance Minister of Bengal said, in his budget speech in 1937, as follows :—

> "Mere scaling down of debts would not prevent the recurrence of unproductive debts and the ryots will have to be provided with proper credit facilities for the long term and short term requirements. How best such facilities could be given, whether through co-operative societies or land mortgage banks, is receiving the careful consideration of the Government."

Now, comparing this speech with the speech of our learned Financial Secretary, when he introduced the Budget for the year 1115, I ask whether he has mentioned one word about scaling down of debts.

Having said that, I proceed to enumerate some relief measures propagated in other countries, in some European countries like Yugoslovakia, Rumania and Italy, where land mortgage banks have been established. In the book written by Mr. K. G. Sivaswami, he says at page 358 that—

> "The state of Bhavanagar has liquidated the agriculturiss' debts by repaying the creditors from State Funds, and realised it along with the annual assessment from the agriculturists."

Now, Travancore which identifies the interests of the State with that of the people has a moral right to enable its agriculturists to live. In Madras two forms are observed: in the first place, in the Congress Ministry, debt redemption loans are made.

MR. M GOVINDA PILLAI (*Financial Secretary to Government*): May I ask the honourable member whether he is aware of the actual amount of money spent by Bhavanagar?

MR. K. NARAYANA PERUMAL NADAR. Sir, I decline to answer.

Sir, as in Madras where some two crores are set apart, it is certain that some form of State aid is necessary in this matter.

Then, with regard to the Credit Bank also I would like to say one word. The report, at page 51, says "As an institution for financing debtors we can now think only of the Credit Bank". Now, the question is whether this statement is true and, if so, to what extent. The Credit Bank is situated in Trivandrum. It has not got branches at Kottayam, Alleppey, and Nagercoil. The question is-how can it be of immense use to the public? The one requisite necessary is that there must be proximity between the creditor and the debtor. Therefore, it is quite necessary that the Credit Bank has branches all over the State or at least in important centres.

Another difficulty that I envisage is that the Bank has an authorised capital of Rs. one crore. Assuming that the Bank has now one crore, how is it possible for the Bank to cope with the situation? I do not know the present worth of the Bank. So far as I am able to understand anything about the working of the Bank, my opinion is that the Bank is not of any use to the public. It is only an ornament to the State. The total debt according to the Banking

Enquiry Committee in Travancore is Rs. 25 crores. Now the debt must have risen to 30 or 35 crores. According to the Banking Enquiry Committee in Madras the total debt there was Rs. 150 crores. According to Mr. Satynathan's report, it is Rs. 200 crores now. The conditions of the agriculturists in Madras and Travancore are the same. Now, Sir, is it possible for the Credit Bank to advance money towards a debt accruing to several crores? It is not possible; and, therefore, the capital of the Bank should be increased. I believe there is provision in the Credit Bank Act for increasing the capital of the Bank. Moreover, the Bank can issue debenture bonds with the guarantee of the Government. If that is done, the Credit Bank will be of some use to the public. But, as is seen in the report, the Bank was for the last so many years doing nothing satisfactory.

Sir, with regard to the exclusion of the loans due to the banks Mr. Sivaswami says at page 274—

> "The Bengal and the Punjab Acts exclude debts due to banks. The exclusion is based again on the principle that depositors would not suffer by any scaling down of debts. But this should be no reason for cutting down interest when high rates of interest are stipulated by Banks. In the case of co-operative loans, it can be said that Government may compose them equitably as co-operative societies are under their control. But there can be no such justification for exclusion of loans due by Banks."

If you study carefully the condition of Banks, particularly, the private banks in the State, you will find that it is miserable. Most of them have no satisfactory reserve fund and they are, like the Travancore National and Quilon Bank, in a precarious condition. I am a student of economicsand I know that banks are necessary for trade and industry. Unfortunately the private banks that we have now in the State are of no use to the public and one member of the Debt Relief Enquiry Committee has stated in a dissenting note that the banks have done ruinous service to the country. I endorse that view. I have deposited a small sum of Rs 100 in the Anchal Savings Bank although I know fully well that I could have secured greater interest had I deposited the same in some banks. I do not believe in the solvency of these banks. (*Laughter.*) The solution, therefore, is that in every pakuthy one Anchal Savings Bank should be established and that, I believe, is the recommendation of the Committee too. I go further and say that instead of one, two Anchal Savings Banks should be established in each pakuthy.

The Committee have made a recommendation that banks transacting business stipulating 9 per cent interest or less should be excluded from the operation of this Bill. Supposing a man borrows Rs. 100 from a bank and spends the amount for agricultural purposes. The income that he can derive from agriculture is not more than 3 or 4 per cent, according to the best economists. How can we then enforce a 5 per cent rate or a 9 per cent rate? Therefore, this is enforcing on the debtor a high rate of interest and the banks should be brought within the operation of the Bill.

Another matter I wish to place before Government is about the arrest and detention of debtors in the civil prison. Section 47 or 48

of the Civil Procedure Code—(I am not a lawyer member although I have completed my B. L. course)—deals with the arrest and detention of debtors in the civil prision. The question is whether a debtor can be arrested and detained in the prison for not having paid the amount due to a creditor. It is a controversial subject and much can be said on both sides. But the public sentiment will not approve of the method of arrest and detention of a debtor in the civil prison for non-payment of dues to creditors. Such a course can be characterised as indirect slavery. In Roman Law I have studied under my esteemed Professor Mr. Padmanabha Kukilliya who is now an honourable member of this House, that a man can be detained in prison for non-payment of the amount. It is called *Manus Injectio* in Roman-Law. Since detenion of a debtor in civil prison is a sort of slavery, it is my wish and that is the wish of the public also that a debtor's detention in a civil jail should be prohibited. That will give great relief to the debtor class. What is the use of having a debtor in a civil jail for three months or for even six months? Within those months he might have earned about Rs. 300 or so. But if he is kept in prison he cannot earn anything at all. That is a loss to the creditor, a loss to the debtor, a loss to the State and ultimately a loss to humanity. Therefore, detention of a debtor in a civil jail should be prohibited Section 16 of the Bengal Money-lender's Bill prohibits the detention of a debtor in the civil prison.

MR. T. C. KESAVA PILLAI (*Member, Sri Mulam Assembly*) : ഋണനിവാരണം സംബന്ധിച്ചുള്ള അഭിപ്രായങ്ങൾ പല മെംബറന്മാരും ഇവിടെ പ്രസ്താവിച്ചു കഴിഞ്ഞു. അതുകൊണ്ടു് ഒന്നു രണ്ടു പ്രധാന സംഗതികളെപ്പററി മാത്രമെ ഈ സഭാസമക്ഷം പ്രസ്താവിക്കണമെന്നു വിചാരിക്കുന്നുള്ളു. ഇവിടത്തെ രണ്ടു നിയമസമിതികളുടേയും സ്പെഷ്യൽ സമ്മേളനത്തിൽ ഈ വിഷയത്തെക്കുറിച്ചു് ആലോചിക്കണമെന്നു് നിശ്ചയിച്ചതിന്റെ ഉദ്ദേശം ധ്രുതഗതിയിൽ ഇതിനു ഒരു തീരുമാനം ഉണ്ടാക്കണമെന്നാണു്. ഈ വിഷയത്തെക്കുറിച്ചു പലവിധത്തിലുള്ള അഭിപ്രായവ്യത്യാസങ്ങൾ പല സ്ഥാനങ്ങളിൽനിന്നും വന്നിട്ടുള്ളതുകൊണ്ടാണു് ഇതിന്റെ യഥാർത്ഥസ്ഥിതി അറിയുന്നതിനുവേണ്ടി ഈ സമ്മേളനം വിളിച്ചു കൂട്ടിയിട്ടുള്ളതെന്നു ഞങ്ങൾക്കറിയാം. ഈ സഭയിൽ ഇതുവരെ നടന്ന പ്രസംഗങ്ങളും മററും കേട്ടതിൽ മുതലാളിമാർ എന്നൊരു കൂട്ടർ ഇവിടെയുണ്ടെന്നും അവരെക്കുറിച്ചു് വലിയ സംശയമാണെന്നും മനസ്സിലായി. ഇവിടെയുള്ള മുതലാളിമാരെന്നു പറയുന്നവർ കരക്കടിസ്ഥിരക്ക ലേലം ചെയ്യുമ്പോൾ ഒളിച്ചുനിന്നു മൂന്നോ നാലൊ പുരയിടങ്ങൾ മാത്രം വാങ്ങിച്ചിട്ടുള്ളവരാണു്. അല്ലാതെ പത്തു കോടിയൊ ഇരുപതു കോടിയൊ രൂപ, ഗവണ്മെൻറിൽനിന്നും ഉറപ്പു കിട്ടുന്നപക്ഷം ചെലവു ചെയ്യാമെന്നുറപ്പു

പറയാൻ ആരും തന്നെയില്ല. അങ്ങിനെയുള്ള മുതലാളിമാർ ഈ രാജ്യത്തുണ്ടായിരുന്നുവെങ്കിൽ യഥാർത്ഥത്തിൽ പൊതുജനങ്ങൾക്കു പല നന്മകളും ലഭിക്കുമായിരുന്നു. അങ്ങിനെയുള്ള മുതലാളിമാർ ഇവിടെ ആരും ഇല്ല. തിരുവിതാംകൂറിൽ മുപ്പതു കോടി രൂപയുടെ കടമുണ്ട്. ഈ ഋണനിവാരണത്തിനായി പത്തോ ഇരുപതൊ ലക്ഷം രൂപ വീതം ആണ്ടുതോറും ബഡ്ജററിൽ ചേർത്താൽ തന്നേയും ൩൦ വർഷം കഴിഞ്ഞാലും ഈ കടം തീരുകയില്ല. ഇവിടെ നടത്തിയിട്ടുള്ള വാദമുഖങ്ങളിൽ കടനിവാരണത്തിനു യഥാർത്ഥമായ മാർഗ്ഗങ്ങൾ നിർദ്ദേശിച്ചു കാണാത്തതിൽ വളരെ മനസ്ഥാപിക്കുന്നു. ഈ മുപ്പതു കോടി രൂപയുടെ കടമുണ്ടാക്കിയവർ തിരുവിതാംകൂർ ഗവൺമെൻറിനോടൊ ഇവിടെ ഇരിക്കുന്ന മെംബറന്മാരോടൊ ആലോചിച്ചു കൊണ്ടല്ല കടം ഉണ്ടാക്കിയതു്. അതുകൊണ്ടു് അവർ തങ്ങളിൽ തീർക്കേണ്ട ഒരു സംഗതിയാണ് അതു്. യഥാർത്ഥമായി ഈ കടം തീരണമെങ്കിൽ സ്ഥാവരവസ്തുക്കൾക്കും ജംഗമസ്വത്തുക്കൾക്കും തമ്മിലുള്ള വില വ്യത്യാസത്തിന് പരിഹാരമുണ്ടാക്കണം. ആയിരം രൂപ കടം കൊടുത്താൽ പന്ത്രണ്ടു രൂപ ക്രമത്തിനുള്ള പലിശ കിട്ടും. എന്നാൽ ൫൦൦൦ രൂപക്കു വസ്തു വാങ്ങിച്ചാൽ ൩ രൂപയെ പലിശ കിട്ടുകയുള്ളൂ. ഈ രണ്ട് തരത്തിലുള്ള പണമിടപാടുകൾ നിമിത്തം ലഭിക്കുന്ന ആദായത്തിനു യാതൊരു സാമ്യവും ഇല്ലാതിരിക്കുന്നു. പണവ്യാപാരിക്കു വളരെ കൂടുതൽ ആദായവും വസ്തു വാങ്ങിക്കുന്നവനു വളരെ കുറഞ്ഞ ആദായവുമാണു ലഭിക്കുന്നതു്. ഈ നിലയ്ക്കു വ്യത്യാസം വരണം. തിരുവിതാംകൂറിൽ മുൻപു രണ്ടോ മൂന്നോ ശതമാനത്തിനുമേൽ പലിശ ഇല്ലാതിരുന്നു. മുപ്പതൊ നാല്പതൊ വർഷത്തെ തവണ വച്ചു് ഈ കടം തീർക്കത്തക്ക രീതിയിൽ വ്യവസ്ഥ ചെയ്താലും സ്ഥാവരവസ്തുക്കൾക്കു് വില വർദ്ധിച്ചില്ലെങ്കിൽ അതുകൊണ്ട് പ്രയോജനമുണ്ടാകുകയില്ല. സ്ഥാവരവസ്തുക്കൾക്കു വില വർദ്ധിച്ചാൽ മുതലാളിമാർ കടക്കാരുടെ വസ്തുക്കളെല്ലാം പണം കൊടുത്തു വാങ്ങുന്നതിനും തൻമൂലം കടം തീരുന്നതിനും സാധിക്കുന്നതാണു. രണ്ടോ മൂന്നോ കോടി രൂപ ഗവണ്മെൻറിൽനിന്നും ക്രെഡിററു ബാങ്ക് മുഖേനയൊ മററൊ കൊടുക്കാമെന്നു വിചാരിച്ചാൽതന്നെയും ഇരുമ്പു ചങ്ങലകൊണ്ടു കെട്ടിവച്ചിരിക്കുന്ന കെട്ട് അഴിക്കുന്ന അവസരത്തിൽ ഈ മുതലാളിമാർ സിവിൽക്കോടതി മുഖേന നടപടി നടത്തി സാധുക്കളായ കർഷകരെ നശിപ്പിച്ചു കളയുമെന്നുള്ളതിനു സംശയമില്ല. അതുകൊണ്ടു പ്രായോഗിക രീതിയിൽ കാര്യം നട

ക്കണമെങ്കിൽ നിർബന്ധിച്ച് ഈ പാവപ്പെട്ടവർ തമ്മിൽ ഇടപാട് തീരത്തക്ക വ്യവസ്ഥ ചെയ്യണം.

ഈ രാജ്യത്തു മുപ്പതു കോടി രൂപയുടെ കടം ഉണ്ടെന്നു പറയുന്നതിൽ ഇരുപത്തെട്ടു കോടിയും ചിട്ടി മുൻപന്മാരുടെ കടമാണ്. ചിട്ടി മുൻപൻമാർ പെരുമ്പാമ്പിനെപ്പോലെ രണ്ടാടിനേയും വിഴുങ്ങിക്കൊണ്ട് കടത്തിൽ മുഴുകിക്കിടക്കുകയാണ്. ആലപ്പുഴയൊ കൊല്ലത്തൊ ചാലക്കുടയിലൊ ഉള്ള ഹുണ്ടിയൽ വ്യാപാരികളിൽനിന്നും അയ്യായിരമൊ പതിനായിരമൊ രൂപ വാങ്ങിച്ച് അങ്ങോട്ടും ഇങ്ങോട്ടും മറിച്ചു കാര്യങ്ങൾ നടത്തുന്നു എന്നല്ലാതെ യഥാർത്ഥത്തിലുള്ള പണക്കാർ ഇവിടെ ആരാണുള്ളത്. അങ്ങിനെയുണ്ടെങ്കിൽ ആരെങ്കിലും പറയട്ടെ. ഈ ചിട്ടിമുൻപൻമാക്കും സൗജന്യം ചെയ്തുകൊടുത്തില്ലെങ്കിൽ ചിററാളന്മാർ ചിട്ടിമുൻപൻമാരെ ഉപദ്രവിക്കുന്നതിനു സംഗതിയാകുന്നതാണ്. നാഞ്ചിനാട്ടും കുട്ടനാട്ടും ഉള്ള കാര്യം അതിപ്രധാനമാണെന്നു തോന്നുന്നില്ല. കുട്ടനാട്ട് മുതലാളിയുടേയും കാഞ്ഞിരപ്പള്ളി മുതലാളിയുടേയും സ്പെക്കുലേഷൻ നിമിത്തമുള്ള കടത്തെ തിരുവിതാംകൂർ പൊതുജനങ്ങളുടെ കടത്തോടു സാദൃശ്യപ്പെടുത്താൻ പാടില്ല. കുട്ടനാട്ടിലെ ആളുകൾ കടം വാങ്ങിച്ചിട്ടുണ്ടെങ്കിൽ അതു പ്രത്യേക ഉദ്ദേശത്തോടുകൂടിയായിരിക്കും. കടം മേടിച്ച് റബർ കൃഷി നടത്തി ഉന്നതനിലയിൽ ഇരിക്കുകയും ഇരുപതു മൈൽ ദൂരം കാറിൽപോയി കളി മുതലായ സുഖസൗകര്യങ്ങൾ നടത്തുകയും ചെയ്തു ഒരു കാലമുണ്ടായിരുന്നു. ഇപ്പോൾ അവിടെ കുടിക്കാൻ വെള്ളം കിട്ടുന്നില്ലെന്നു അവർതന്നെ പറയുന്നുണ്ട്. അവരവർ ചെയ്യുന്ന പ്രവൃത്തിയുടെ ഫലം അവരവർക്കുതന്നെ ലഭിക്കുന്നതാണ്. യഥാർത്ഥത്തിലുള്ള കൃഷിക്കടം എന്നു പറയാൻ ഇവിടെ അധികം കാണുകയില്ല. നാല്പതു വർഷത്തിനു മുൻപ് തിരുവിതാംകൂറിലെ വലിയ കടം ൫൦൦൦ പണമായിരുന്നു. ചിട്ടി നിമിത്തമാണ് ഇത്രയധികം കടം ഉണ്ടായിട്ടുള്ളത്. കർഷകനു കർഷകവൃത്തിയിൽനിന്നു വലിയ സമ്പാദ്യം ഉണ്ടാകാൻ നിവൃത്തിയില്ല, ഞാൻ ഒരു ചെറുതരത്തിലുള്ള കച്ചവടക്കാരനായി കച്ചവടം തുടങ്ങിയെന്നും, കച്ചവടത്തിന്റെ അഭിവൃദ്ധികൊണ്ട് ഇപ്പോൾ ധാരാളം പണം സമ്പാദിച്ചു എന്നും, കച്ചവടപ്രതിനിധി ഇവിടെ പ്രസ്താവിച്ചു കഴിഞ്ഞു. അങ്ങിനെ സമ്പാദിച്ചു എന്നു പറയുന്ന പണം ഏതാണ് ? അതു കർഷകന്റെ പണമാണ്. കള്ളക്കണക്കുകളെഴുതിയൊ ചീത്തസാധനങ്ങൾ കൂടിയ വിലയ്ക്കു വിററൊ കവർന്നെടുത്തിട്ടുള്ള പണമായിരിക്കും ഇത്. യഥാർത്ഥത്തിലുള്ള ഒരു കർഷ

കന്ന കിട്ടുന്ന ആദായംകൊണ്ടു് അവന്റെ കുഞ്ഞുകുട്ടികളെ സംരക്ഷിക്കാനല്ലാതെ വലിയ മിച്ചമൊന്നും കാണുകയില്ല. അതു കൃഷകരുടെ പ്രതിനിധികൾക്കു മാത്രമെ അറിയാൻ പാടുള്ളു. മുൻപിരുന്ന മഹാരാജാക്കന്മാർക്കും ഇപ്പോഴത്തെ മഹാരാജാവു തിരുമനസ്സിന്നും ഈ സംഗതി അറിയാം. അതുകൊണ്ടു് മേലാൽ പലിശ മൂന്നു ശതമാനത്തിൽ കൂടുതൽ ഒരിക്കലും പാടില്ല. ൫൦൦ രൂപയിൽ കൂടുതൽ തുക ആദായം ഒരിക്കലും കൈവശം വച്ചുകൊണ്ടിരിക്കാൻ പാടില്ലാ എന്നു നിയമം ഉണ്ടാക്കിയാലും തരക്കേടില്ലെന്നു തോന്നുന്നുണ്ടു്. ൧൦൦൦൦ രൂപയിൽ കൂടുതൽ ആരും നിക്ഷേപിക്കാൻ പാടില്ലെന്നു വ്യവസ്ഥ ഉണ്ടാക്കിയാൽ നന്നായിരിക്കും. ഏതായാലും സ്ഥാവരവസ്തുക്കൾക്കു ശരിയായ കൈമാററം ഉണ്ടാകുന്ന കാലത്തല്ലാതെ ഈ കർഷകരാജ്യം നന്നാകാൻ സാധിക്കയില്ല. ൧൧൦൭ മുതൽ അതായതു് ഉല്പന്നങ്ങൾക്കു വില കുറഞ്ഞു തുടങ്ങിയ കാലം മുതൽ നടത്തിയിട്ടുള്ള ലേലങ്ങളിൽ പണം കെട്ടിവയ്ക്കുകയാണെങ്കിൽ ആ ലേലങ്ങളെ അസ്ഥിരപ്പെടുത്തിക്കൊടുക്കേണ്ടതു് അത്യാവശ്യമാണു്. ൧൧൧൪ കർക്കടകം മുതലും ൧൧൯ കർക്കടകം മുതലും ചെയ്യേണ്ട ചില വ്യവസ്ഥകൾ റിപ്പോർട്ടിൽ കാണുന്നുണ്ട. അതുകൊണ്ടു് ലേലത്തുകയും കമ്മീഷനും കെട്ടിവച്ചാൽ ലേലം ചെയ്ത വസ്തു യഥാർത്ഥ കർഷകനുതന്നെ തിരിച്ചു വിട്ടുകൊടുക്കണമെന്നുള്ള അഭ്യർത്ഥനയോടുകൂടി എന്റെ അഭിപ്രായങ്ങളെ ഈ സഭ മുൻപാകെ സമർപ്പിച്ചുകൊള്ളുന്നു.

MR. N. KRISHNA AIYAR (*Member, Sri Chitra State Council*): Sir, I was struck by the last remarks that fell from your lips in the course of your opening address that there must be a finality and certainty in the matter of legislation and we must disabuse the minds of the people of the idea that by agitation some legislation could be brought about. Very aptly, Sir, you referred to paragraph 54 of the Committee's Report in page 19.

> "It is also feared, and not without reason, that the compulsory reduction of debts will make borrowers reckless in the hope that agitation would always bring about legislation easing the burden of debt. If by the nature and frequency of debt legislation such an idea was likely to be encouraged, the result would certainly be deplorable Any material benefit that debtors might occasionally derive therefrom would be more than counter-balanced by the moral deterioration caused by the systematic disregard of the pledged word. That is a contingency that Government and Legislatures have to provide against. It must be made plain beyond any doubt that mere agitation by the debtors for the purpose would not result in legislation relieving them from the obligation to carry out their contracts. Nothing but an abnormal change in the economic conditions forming the basis of all contracts should induce any such legislation. So long, however, as all parties realise that such legislation is in the nature of an extraordinary emergency measure to meet abnormal and almost catastrophic conditions, it will not cause any real harm."

I fully agree with that glorious paragraph wherein the Committee assert that any legislation should not be on account of agitation. But in Travancore it is the experience of all of us that attempt at this legislation or the proposed legislation and the prior or the existing Act III of 1112 have been brought about by agitation. One of the members even frankly confessed that he has been at it for the past ten years. He went further and said that if this legislation is not rushed through, the agitation will continue. Another honourable member went even further and said that there will be a *Vipplavam*, a revolution. We have seen that there was an attempt by some—

PRESIDENT : When the revolution comes the matter will be dealt with.

MR. N. KRISHNA AIYAR : But let us look at the impression produced by the Committee in paragraph 54 which was now read by me and the recommendations made by them together with a draft Bill. There is a fundamental difference.

We find that it has gone far beyond the scope of the Government Order, far beyond the provisions of Regulation III of 1112. Sir, the Chairman of this Committee also presided at a meeting of a large body of businessmen and creditors, held in Trivandrum when the second reading of the last Bill had just been finished. At that meeting, certain resolutions were passed and communicated to the Government and to His Highness the Maharaja. I may just refer to those resolutions :—

"......Whereas the above Bill is in many respects opposed to fundamental principles of justice and equity and contrary to accepted principles of legislation in that :

1. Certain provisions including those above referred to which are incorporated in it are patently expropriatory without compensation and are calculated to destroy the internal and external credit of the country and to paralyse all business, commerce and industry in the State; and
2. The general trend of the Bill in its present form is flagrantly unfair to the creditors and highly inequitable and immoral and tends to blacken the fair name of Travancore; and
3. It will inevitably create a dangerous and deplorable stalemate in the administration of civil justice in the land ; and
4. It will tend to foster a spirit of Bolshevism and Communism within the State and ultimately undermine the very foundations of this well-ordered State ;"

[One cannot expect a more forcible expression for characterising the Bill.]

"5. The bill is being rushed through without obtaining the benefit of expert financial or economic opinion and without even consulting the High Court before the jurisdiction of the courts of justice in the land is ousted as this Bill is bound to do."

The Honourable the High Court was referred to on the matter, and, in the course of their opinion, they say—

"The definition of the term 'agriculturists' in the Bill is far too wide so as to take in practically most of the non-agriculturist debtors of the State. The definition of the term 'debt' is also equally wide so as to include commercial debts, debts incurred for marriages, house building or for extravagance and speculation, incurred by agriculturists for non-agricultural purposes. Unless these words are properly defined, the critics of this Bill, of whom there must be many, may well exclaim, with a certain amount of justification, that the

title of the Bill is not quite in conformity with the provisions thereof and that the purpose of the Bill itself, as stated in the statement of objects and reasons, may eventually be miscarried."

MR. KOTTUR KUNJUKRISHNA PILLAI (*Member, Sri Chitra State Council*): On a point of order; the paper from which the honourable member is reading has not been placed before the House.

MR. N. KRISHNA AIYAR: It was placed before the last Assembly of which my honourable friend was a member.

"Some pecuniary limit ought to be prescribed for the jurisdiction of the Conciliation Board. It is stated that in Madras the agricultural debts not exceeding Rs. 2,000 of an agriculturist come under the purview of the Board. This may however be provided for in the rules to be framed by the Government.

"The provision that no contract will be enforced beyond 6 per cent interest will considerably affect the credit not only of agriculturists but of businessmen and individuals in the whole State and will afford a fillip for enabling the capital soon to leave the State and eventually the Bill, instead of affording relief, may work serious injury.

"To give retrospective operation to the Bill as proposed is certainly liable to be assailed as being confiscatory in nature."

I would also like to refer the honourable members to the opinions of the Alleppey and Travancore Chambers of Commerce, expressed from time to time by the presidents of the respective chambers; but for want of time, I am not reading them.

Sir Geoffrey Bracken, Finance Member to the Government of Madras, in his speech at the Seventh Annual Conference of the Primary Land Mortgage Banks, said—

"The total or partial cancellation of debts must inevitably mean the weakening of confidence between man and man and so, the destruction of the whole delicate fabric of credit. No business on credit would be possible and consequently the marketing of agricultural products would be dislocated with the result that the price would inevitably fall. Again, with the prospect of further cancellation of debts who would be fool enough to lend money? Much better bury it under the floor than virtually make a present of it by lending. The sources of rural credit would at once dry up and no money would be forthcoming for ordinary day to day transactions......Evidently, the rural population is more alive to the realities of the situation than some of our doctrinaire socialists."

Sir, these preachers on behalf of the debtors do not really represent the agriculturists. I submit that the Committee has not made out a case for fresh legislation on this matter at present. If, however, Government decide upon any legislation, whether in pursuance or in spite of the agitation that has been and is still being carried on by a few interested individuals, I have only to point out that the legislation must be undertaken on such lines as would afford maximum benefit and minimum injury. Nobody denies that the real agriculturist, the poor agriculturist who is in need of relief, must be given relief. As was pointed out by you, Sir, in your address to the Joint Session, there is a great deal of difference between making the measure one of relief and making it one of penalty. Relief must be given to those who need it and who deserve it. If, therefore, it is determined that relief must be granted, the first idea must be as to what the limits should be,

What such limits should be has already been pointed out time and again by reference to the Report of the Agricultural Debt Redemption Committee ; and the matter has been adverted to by several honourable members already in the course of the present debate. Five thousand rupees seems to be a very reasonable limit ; that would afford relief to over 95 per cent. of the debtors ; and over 60 per cent. of the total debt could be wiped off.

The other two questions which have to be considered are—(1) how the State can solve the problem, and (2) how the creditor is to be satisfied. It is not possible to pay cash to all the creditors and really they do dot insist upon the whole amount being paid down in cash in a lump. Those who have property enough can sell them to the creditors themselves for a reasonable price, towards the debt ; and the creditors are perfectly willing to agree to such a course. I perfectly agree with Mr. Tharakan when he says that the creditors must be willing to take properties on a fair valuation, having in view the conditions obtaining when the money was advanced. There are creditors who are already doing it ; in fact, I am sure every reasonable creditor will be prepared to do it.

Then, there are the small creditors who cannot afford to make any sacrifice and who, in view of their position and limited means have to be paid in full in cash. Here again, the limit of Rs. 5,000 which has been suggested, would be quite reasonable ; certainly, Rs. 5,000 may be sufficient for any ordinary family.

Coming to the question of scaling down, there is no doubt that it is a measure of expropriation. My honourable friend Mr. Tampi would justify it by referring to what occured in Greece and Rome about 2,000 years ago. But, reading between the lines which he quoted from ancient history, we could see that those concessions relate to conditions which followed a civil war in those countries, and even then applied only to small agriculturists. Sir, even here, every one is sympathetic to the small agriculturist, much more than many who speak on platforms and lead agitations, much more than those doctrinaire socialists who preach theories. The real persons who give timely help to the agriculturists are the creditors. (Mr. Kochickal P. Balakrishnan Tampi : *Hear, hear.*) Much more than banks, chitty foremen and even co-operative societies, the real persons who help the agriculturists in season and out of season, who live with them, understand their difficulties and give them timely help, are the creditors. Really, these creditors have always been taking only a very reasonable and fair return for their investment ; and they have never refused to take back the money in instalments or even to take properties instead.

Sir, it was really very painful to me to hear one of the honourable members mention here the name of a particular gentleman, a name which is sacred to me, while giving you certain illustrations of what he would call unfair court sales. I take this opportunity to assure the honourable member, and the whole of Travancore for that matter, that

I am prepared to let my honourable friend himself constitute a voluntary commission of enquiry into those cases and to furnish him with every detail and every information from the start up to date in respect of every one of those transactions; and, if it is established by such Commissioner that at any stage there has been any unfairness or unconscionableness, I am prepared to write off the whole amount and to give back to the other party all that has passed on from him to us.

PRESIDENT : I do not think the honourable member need bother about that matter now.

MR. N. KRISHNA AIYAR : I thought, Sir, in view of the honourable member's specific reference, a word of explanation was necessary to disabuse the minds of the people that the creditor is exploiting the debtor. The real truth is far from it. The fact is that, in times of need and distress, the debtor sought the aid of the creditor; and, now that the creditor has been relieved by the debtor of his burden, and the debtor relieved himself of his distress, he says "you walk out; let me step in." Sir, the remarks of the honourable member appear to me rather wholly inappropriate and irrelevant, and extremely ungrateful. It is perhaps not quite fair that I should indulge in any such personal matter; I would never have referred to that honourable member or to any of the circumstances connected with the particular cases but for the unhappy reference made consciously by him or because it was elicited from him by another honourable member.

Coming to the details of relief, I would, instead of reiterating the points already dealt with by several honourable members, refer my honourable friends to the brilliant and brief dissenting note published at page 95 of the report of the Committee, and also to the more elaborate statements contained in the dissenting note published at pages 96 to 111 of the report. If my honourable friends would go through these dissenting minutes with a fair and open mind, they would realise that there is a good deal of substance, truth and justification in every line and in every word of those notes.

Sir, it is true that, in times of extraordinary emergency, sanctity of contracts may be thrown off; perhaps, even decrees may be reopened. But, have we reached any such stage? As I said, preachers and doctrinaire socialists can say anything they like; but the real persons who know the debtors and their conditions, who really help the debtors when they need help, and help them much more usefully than such speakers are the creditors. Having said that, I would once again submit that it would be very reasonable to fix a maximum limit of a sum-total of a debt of Rs. 5,000 for purposes of relief under the proposed legislation; also, if any scaling down is decided upon, the scaled down debt should be paid off immediately in cash or by immediate settlement of property. Otherwise, there would be no end to the number of scalings down; and, after a few years there would be further clamour and agitation for a further scaling down of even the scaled down debt. Sir, in the sister State of Cochin, recently, they introduced the element of compulsory scaling down, but laid down

definitely that the scaled down debt must be paid off within the next year in two half yearly instalments. Therefore, my submission is that, while, in deserving cases, the creditor is willing to sacrifice a portion of his dues, it is the duty of the Government to see to it that the scaled down debt is paid in cash.

Before I conclude, I would, with your permission, Sir, refer the House to the memorial submitted by the Alleppey Merchants; I shall only read their concluding paragraph which I endorse fully—

"15. We have already said that there is no necessity for a Debt Relief Legislation now. If for any reason the Government think it necessary to enact one, we submit the following for their consideration.

(1) Considering the law's delays in our courts we feel that any scaling down of interest should take the form of a certain percentage of the amount due on the date of the proposed bill according to the law in force. We would suggest that, in case of transactions prior to 1107, fifteen per cent of the amount due on the date of the enactment be deducted from the total amount due to the creditor and the rest ordered to be paid within one year from that date. We feel that in case of transactions subsequent to 1107 when money had become very scarce, no cut should be made either in the principal or interest.

(2) A limit of Rs. 5,000 may be fixed for the aggregate of one's liabilities in order to get the benefit of this measure.

(3) Debts incurred for purposes of trade should be excluded from the operation of the Bill.

(4) Government servants and, I would add, officers and other persons having regular monthly salaries or incomes, Tea and Rubber Planters should be exempted from the operation of the Bill.

(5) People whose assets exceed their liabilities by 50 per cent. should not be eligible for relief.

(6) The normal rate of interest in future should be 12 per cent. for unsecured transactions and 9 per cent. for secured transactions.

(7) Transactions entered into after Act III of 1112 should not be disturbed as they were contracted on the faith of that enactment."

I would very strongly emphasise the last recommendation about transactions which were entered into with open eyes under the existing law; there is absolutely no justification for any deviation from the terms of the contract in regard to those transactions. Also, decrees and settled accounts and transactions should not be re-opened.

MISS. THRESSIA KORA (*Member, Sri Chitra State Council*): Sir, I sincerely congratulate the Government for the good faith they have shown in the matter of alleviating agriculturists' distress in the land by adopting debt redemption. The fact that drastic measures are necessary for the relief of debtors is clearly proved by the failure of the Act of 1112. Some effective measures are necessary in Travancore to drive the wolf from the door of the agriculturists. Sufficient provisions should be made in the proposed enactment to guarantee an effective and permanent cure of this evil of indebtedness. In fact, if at all there is going to be some benefit to the debtors, it will no doubt be at

the expense of the creditors. If the Government and the legislators are earnest in finding out some means to solve this problem, they must adopt a bold and drastic measure. It is no question of embarrassing the debtors or the creditors. In this, no distinction of small and big creditors should be made; no distinction between trade debts and agricultural debts should be created. The legislation should include all sorts of debts. In my opinion, as a step towards the solution of the problem, the interest can be reduced to 3 per cent. from 1105 when the economic depression set in, and the period for the repayments of debts can be spread over some 12 years in instalments. Such an arrangement, I think, will go a great way in solving this acute problem.

MR. KOTTUR KUNJUKRISHNA PILLAI: Sir, it is indeed a matter of great satisfaction to find that Government and the Head of the Administration are in agreement with most of the conclusions arrived at by the Committee and with many of the remedial measures suggested in the Committee's report. Under these circumstances, I do not think it necessary to take any notice of the much worn out arguments regarding the sanctity of contract, the delicacy of credit, or the danger of credit vanishing from the State and the much talked of theory of periodic recurrence of cycles of depression and cycles of boom. It is no consolation to be told that the present state of affairs is predestined or godsent and that it will change by the turn of the cycle. I think it is far, far better to suggest to the debtors that as there is such a thing as the transmigration of souls they can console themselves in the belief that during their next birth they will be creditors and their present creditors will be debtors. These are all matters which do not deserve any criticism at my hands at the short time at my disposal.

Therefore, I may confine my observations to the question as to whether there should be a dividing line between a big debtor or the upper class debtor and the lower class debtor so far as the relief measures that are contemplated by the suggestions of the Committee are concerned. Sir, I find myself compelled to examine that question in its entirety and I propose to answer it and bring certain points of importance to the attention of this House. First, I have to point out that the Act of 1112 was a measure confining itself to the agriculturists as are many of the similar Acts passed in British Indian Provinces and other Indian States. But, within the agriculturist class, the distinction between a big agriculturist debtor and a small agriculturist debtor is not made. But if we make that distinction here, we will be—to use the language of some of my honourable friends—taking away the rights or expropriating the rights, conferred by the conciliation measures provided in Act III of 1112. That is a point we have to bear in mind. We should not take away anything which has already been given, especially when we are extending the scope of the Bill, and I am of the opinion that the debts of industrialists and traders should be brought within its purview.

Let us then consider the question of these big debtors. When a man who is a debtor goes in a big car and says that he is not able to pay off his debts, generally, the feeling of sympathy does not go to him. So also, if a creditor is too rigid and exacting to a debtor our sympathy does not go to him. So, we should not allow ourselves to be guided by the extremely exacting creditor or by the noisy debtor. We have to take things as they are. After all, who are the persons classed in the category of big debtors who will be ultimately benefited by this legislation? They are the planters. What is their exact position? If we look into their affairs we will see that their dealings were mostly with the coastal firms. This is an important factor. Here we must realise the fact, as the Report of the Committee has done that a big creditor is more able to sacrifice something for the sake of the settlement of debts. The outstanding amount of these firms comes to approximately 15 lakhs on the whole of which 8 to 10 lakhs are due from Indian planters. Sir, these planters come under 1·25 per cent of the total number of debtors. Let us see whether there is any justification to exclude this 1·25 per cent of the debtors from the scope of the legislation. The kind of business these coastal firms were doing with these planters will surely convince us that these firms could very well undergo some sacrifice for the sake of these planters. They lend money to these planters on their crops. And they charge 8 to 9 per cent interest. Then they take 2½ per cent commission and 10 per cent as rebate on freight and insurance charges. There are also various other minor items of gain. This shows that these firms have definitely benefited much on account of their transactions with the planters. The debtor planters were satisfied with the terms of repayment and the coastal firms were satisfied with the profits. There may have been a few exceptions among these who might have borrowed from the money lenders at high rates of interests. They might have done this only when they were not able to get loans from these coastal firms. The coastal firms were always willing to give money to planters and business men who had sufficient crops. Such money lenders were the real speculator creditors. But, we have heard here planters being called speculators. They are speculators to some extent in that they were unfortunately foolish to expand further cultivation and widen their business without taking the future into account. It may be called imprudent, it may be foolish. But what is there morally wrong in such speculations? But the speculation of those who lent money under shady circumstances expecting a rich haul at the expense and ruin of the borrower, should not be tolerated, but should be condemned, and not these planters who are now in the clutches of these money lenders and the coastal firms. Now, let us see whether these planter debtors deserve sympathy and help. What we should aim at should be to avoid any violent change of the existing state of affairs. We should not allow any one party being denuded of the whole fruits of their labour. That will aggravate the distress which is already prevailing in the country. That will create discontent, that will create unrest,

Legislation should provide measures to ward off or avoid such contingencies. We must give them help in the shape of relief. It is not enough merely to help the most indigent cultivator. That will not create any impression in the existing economic situation of the country Then there is another aspect to be considered. If we help the small debtor it will not do him any permanent good. The next day he is relieved of his debts he will again plunge into more debts. But we should help those debtors who will survive and prove themselves once again good productive agents of the country and work for the prosperity of the State. If that view is taken, I think, there is reason in giving some benefit to these people. The help may not be in the form of giving cash. But they may be given aid in adjusting themselves with the creditors. If we give them this protection by means of legislation they will surely be able to negotiate with their creditors to their benefit. It has been stated that they are able to negotiate with their creditors. But the point is that under the present circumstances it is impossible for them to bargain successfully. When the prices were high they were quite on a par with the coastal firms to negotiate. But now they are on the lower level and that is why they require external aid.

We can introduce such measures which will relieve them and which will enable them to negotiate and come to an arrangement with the firms. As a matter of fact, it has been found that they entered into arrangements, whenever they could, with these firms. A previous Committee points out instances in which even 50% of the capital has been reduced and the debt has been adjusted. Some firms are reported to have settled accounts at concession rates. In one case an account of Rs. 10,000 has been adjusted by a cash payment of Rs. 5,000 and in another a transaction involving Rs. 28000 has been closed by a payment of Rs. 16,000. Why should we not allow such persons to settle their accounts in this manner? Legislation must enable them to do it. It must give them some power to bargain with their rich creditors.

Another difficulty that we find is that the small creditors who lent Rs. 2,000 and Rs. 5,000 will have to suffer all the results of the scaling down of the principal and the reduction of interest while the creditors who are well able to stand such sacrifices are not affected if a limit is fixed. Why should we give an undue advantage to the big creditor which the small creditor does not enjoy? Why should we deprive the small creditor of any part of his money and give the full capital and interest to the big creditor? This point has to be very carefully considered before we think of fixing a limit.

I am of opinion, Sir, that Government should not undertake or think of providing cash for the payment of all debts, even small debts, because there are small loans given by capitalists to people like the bus owners which cannot be realised under ordinary circumstances. Most of these debts will have to be written off. Such creditors should not be helped at the expense of Government money,

They may say that they are prepared to take half the amount due to them in full settlement. But they will not be able to get even a pie as things are at presint. We have to consider very carefully that question. Government money must be absolutely secure and there must be ample security before Government gives out the money. The idea was given out that the burden of debt is going to be lessened by the provision of ac ual cash by Government. It will only transfer the debt from a large number of persons to one source, namely, Government. Government should, as far as possible, set apart as much money as they can conveniently do, after providing for all the necessaries, for the purpose of enabling the debtors to pay off their creditors. In so doing, they must see that there is sufficient protection for the deserving small debtor who has some security to offer and who will be able to pay and not for the realisation of money by the kind of creditor who is a mere speculator. I am not in favour of Government taking an abnormal or extraordinary step for the provision of funds for the purpose of paying off the debts. I am sure, Sir, that without the ac ual cash payment through Governmental agency or through the agency of the Credit Bank, it should be possible for a good number of people to adjust their debts. There will be people who, if a sufficient portion of their debt is reduced, will gladly sell their proper y and pay off in a lump. It is only to give some inducement in this direction that reduction in the principal has been suggested. It was stated that in every case there is reduction in the principal. Only people who pay off within 15 months get twenty per cent reduction. That fact is very coolly ignored. It is said that there is reduction in the principal and that there is reduction in the interest also. One person actually said-I never wanted to contradict it then and there—that after reducing the principal it is hard that a long period should be given for paying even that reduced amount. In the case of 20 per cent reduction only 15 months are given to the debtor. In the case of 10% reduction only 5 years are given. What is it that actually takes place at present? Is the legislative machinery doing anything which is not being done by the creditors themselves to realise their amounts at the present moment? At the present moment we will find, Sir, if we investigate the matter, that much more than the provisions of relief suggested by the Committee is being given for cash payment and the creditors are willing to do it and even now payments are being made in return for which 50 per cent. is written off. They will also absolve the debtors of all the interest if they are able to pay at once. All these things are being done now and the Committee has not suggested anything more than what is being done at present. The Committee merely enables all debtors to bargain reasonably with the creditors and settle the transactions. I feel, Sir, with due deference to the House that it will not be possible very easily to improve upon the recommendations of the Committee, without causing injustice to one party or the other.

With regard to trade debts, it has been said that we have included all trade debts and that we have made no distinction. Such an impression has been created; but that is not a fact. We have treated trade

debts in a very special manner. We have given them 9 per cent. interest. We have realised that it is necessary for traders to realise their amounts soon and we have not given the benefit of instalments to the trade debtors. We have not touched running transactions. We have only stated that transactions that have become dead or morbid, that transactions which have become practically hypothecations, shall not be exempted merely because a trader happens to be involved in it. They are ordinary transactions just like any other. They are not different from hypothecations by an industrialist, an agriculturist or a Government servant and we have said that in such cases no distinction should be made. With regard to trade debts it is not therefore fair to say that the Committee has not considered the question specially.

With regard to co-operative societies and banks, I do not think that much need be said except the fact that everybody feels some slight consideration is necessary for the co-operative societies because they have been responsible for providing the agriculturists with credit at a low rate of interest. But, once that justification ceases to exist, and far from lending money at a normal rate of interest it is established that excessive interest is charged by them, they must be visited with all the penalties intended for usurers. That has been the opinion expressed by persons who know the conditions of co-operative societies here. That has been the opinion expressed both by Mr. Devadhar who was the President of the Co-operative Enquiry Committee and by Mr. M. Govinda Pillai who was specially trained in co-operation and who was at that time the Registrar of Co-operative Societies. That has been the opinion expressed by Mr. Vaidyalingom Pillai who was the Registrar of Co-operative Societies for a long time. Only the present Registrar is against this opinion. All people who know the co-operative movement in this country and the evils of it have stated that these co-operative societies are the worst sinners as contributories for the burden of debt in the State and that there should be no exemption so far as they are concerned.

MR. V. SANKARA MENON (*Member Sri Chitra State Council*): Sir, I am normally against all legislation which may cause heart-burning to one party or another. But in this case I have to agree with the sentiments expressed by my friend Mr. Kunjukrishna Pillai. This is one of the rare occasions in which I totally agree with him. Sir, I was all along under the impression that the question whether relief should be given is not now open for discussion here. I gathered from the President's opening remarks — and my proximity to the President places me at an advantage—that Government feel no doubt as to the necessity of giving relief to debtors, but that certain points are to be decided before bringing this into law. The trend of the discussion which I have been following for the last two or three days has raised in me a doubt whether that is the real position. I heard one or two honourable members suggesting that no legislation is at all necessary, that the debtors are all right and that no exceptional circumstances are made out for a legislation of this kind. With all deference to the valuable opinions of those honourable members, I feel that one thing that is

required now to allay the sufferings of the people of the State as a whole is a reform of this kind. It is no exaggeration when I say that 99% of the whole of the population of the State are watching us when we discuss this subject. They are anxiously awaiting the advent of this legislation to enable them to live in the State It was very aptly put when one member said that we are contemplating not merely debt relief but death relief now. Sir, I feel very strongly when I say that the majority of the people consider their position as debtors unable to pay their debts as worse than death. Sir, the passing away of life puts an end to all the troubles of living, but a living death which is the result of the present indebtedness is indescribable. So, my opinion is that every moment of delay in the bringing forth of this legislation is adding to the agony which is being suffered by 99% and more of the subjects of His Highness the Maharaja.

In regard to the points raised by the President, I too think along with the majority of the Committee that no distinction need be made if we want to give complete relief to the suffering that is being undergone now by the debtors in the State. If we make a distinction between one class of debts and another class of debts it will become impracticable to work out the relief to the entire satisfaction of those who are concerned with doing good to the people. In this connection, I would suggest that if at all it is necessary to distinguish between debtors who are able to pay and those who are unwilling to pay but want to take shelter under the proposed legislation, some discretion may be given to the authorities who are to be appointed to carry out the reform. When it is proved beyond the shadow of a doubt that it is a fit case in which this relief ought not to be given, after going into the antecedents of the debt, the conduct of the parties etc., discretion may be given to the deciding agencies to refuse all or some of the benefits of the proposed legislation.

In regard to trade debts which arise out of advances of capital from foreign places, I think that it is better not to subject these to the provisions proposed for scaling down of the principal or for reduction of the interest or for repayment of principal in instalments spread over a number of years because when we compare the honour of this State with the sufferings of the people, I regard the honour of the State more than the suffering of the people. Now, in the eyes of the people outside, Travancore is being regarded as a country which is very high in their estimation. When they are led to realise that this land of charity not only does not give back the interest on the money lent, but also begins to cut down the principal amount itself, it would fall very low in the estimation of these outsiders, who have advanced money for the uplift of the State. So, some distinction ought to be made in the case of debts of these people who have made advances to this country for its commercial advancement.

In regard to the third point referred to in the opening remarks of the President, the Co-operative Societies come under a special law. If any reduction in the rate of interest or other exigencies are necessary,

I think, the individual societies can alter their rules to suit their present conditions. Only it may require the sanction of the Registrar and if he is convinced he can allow of such a change of policy, there is no necessity for the inclusion of the co-operative societies in this reform.

In this connection, I may also say that though debts due to the Government are exempted, the poor conditions of the so called pattadars whose lands have been sold in the last few years for nominal amounts for arrears of tax should not be over looked. I would suggest that all such sales of lands for arrears of tax subsequent to 1107 may be reopened, not by legislation but by administrative proceedings.

Lastly, I have to speak a few words about the machinery to be appointed for the successful working of this reform. I would warn that all such classes of legislation depend for their success upon the way in which they are worked out. Government must be very careful in choosing the agency for the working out of this reform, so that the object of the legislation may be achieved and relief meted out substantially to the suffering debtors of the State.

MR. S. CHATTANATHA KARAYALAR (*Deputy President, Sri Mulam Assembly*): Sir, the problem of indebtedness is admittedly a very difficult and complicated one. The Legislature has to approach the problem not from the point of view of the creditors, nor from the point of view of the debtors. They have to be guided by what will be in the best interests of the State, not of the creditors nor of the debtors. It is rather late in the day now to contend that no legislation is necessary for the purpose of providing relief to the debtors. The consequences of delaying or putting off legislation will, I think, be rather serious. There is now a state of indefiniteness; the creditor does not know where he stands nor the debtor. There is a sort of procrastination on the part of even the debtor who has got the capacity to pay off his debts. It is imperative that the contemplated change should be introduced at a very early date. There is a strong case for immediate legislation, whatever the form of that legislation may be.

Now, Sir, we have to consider the reactions of the legislative measures that may be introduced. It cannot be denied that one of the worst reactions of the legislative proposals will be a considerable contraction of credit. The advent of economic depression brought about considerable contraction of credit and was followed by a phenomenon that exhibited itself in Travancore and British India, namely, the banking crisis that developed some two years ago. That has aggravated the symptoms of the disease. Luckily, the Madras Presidency has emerged out of the crisis and conditions are getting to be normal in the banking system there. But, we in Travancore have not yet emerged from the criss and that adds to the complexities of the situation that we have to deal with.

Mr. Krishna Iyer, Sir, laid very great emphasis on this point, namely, the considerable shrinkage of credit that will follow any legislation on the lines that have been proposed. He suggested therefore

that the whole problem should be dealt with, not by legislative measures but by administrative measures calculated to bring about an expansion of credit. I agree perfectly with him in his suggestion that there should be considerable expansion of credit brought about by administrative measures. But, that is no reason why legislative measures should be put off or should not be undertaken. I want to impress upon the House that, side by side with legislative measures that may be undertaken, Government should actively put into operation administrative measures which will bring about a considerable expansion of credit. I shall make a few concrete suggestions to produce this result.

In the first place, Sir, Government should offer inducements to first class banks operating in this country to open branches at important centres all over the country. That will be one of the means of expanding credit in the country. I suggest that it is a very important measure that is likely to have a beneficent reaction in the very near future.

Another suggestion that I would like to make is that Government should not hesitate even to subsidise banking concerns in the country which are really very sound. If the Government do subsidise such concerns, that will be a means of restoring public confidence in the stability of some of the banking concerns, which are really stable but which are unable to expand their activities merely because of the shrinkage of their funds. This will be another means of expanding credit.

Another suggestion that I would put forward in order to bring about an expansion of credit is this. It has been observed by the Central Board of the Reserve Bank of India in their latest Annual Report that the powers of expansion of credit provided by the Reserve Bank of India Act have not been fully exploited by the Scheduled Banks. I wish to suggest that Government should invite from the Scheduled Banks at least in this country, suggestions for exploiting the powers of expansion of credit that are embodied and provided for in the Reserve Bank of India Act and try to implement them.

Now, I will proceed to a consideration of the relief measures that have been embodied in the report of the Committee. The relief proposals may be roughly classified under three categories. They are, reduction or scaling down of principal, cutting down of the rate of interest and facilities for payment of the debt in instalments.

Now, Sir, in the first place, I want to observe that the reduction of the principal amount stands entirely on a different footing from the reduction of the rate of interest and the facility for payment in instalments. I want the Legislature to make a note of this and I want them to make a real distinction between these forms of relief in any legislative measure that may be passed. Relief by way of reduction of the principal really involves a different principle form other relief proposals, namely, reduction of interest and payment in instalments. The first is really what may be called expropriatory form of relief. The proposal to cut down a portion of the principal really amounts to this. You are asking

the creditor to accept a new bond for a lower sum in the place of a bond for a bigger sum. Is it reasonable to ask the creditor to be satisfied with merely a bond for a lesser amount without the same being accompanied by a guarantee of immediate payment? That is the essence of the matter.

MR. KOTTUR KUNJUKRISHNA PILLAI: Reduction is given only if the amount is paid.

MR. S. CHATTANATHA KARAYALAR: Yes, I am coming to that. I am only speaking about the general principle of reduction. I would therefore suggest that whenever reduction of principal is urged, the creditor should be given immediate payment or at least payment within a very short time. That would be the most reasonable proposal. This raises the question of finding funds to enable debtors to pay off their debts and that incidentally raises the question of the class of the people who should be brought within the purview of the relief measures.

Sir, the question has been raised whether a line should be drawn between the class of debtors whose debts are above Rs. 5,000 and those whose debts stand below that sum. I, for one, do not agree to any line of demarcation being drawn as suggested. Any relief measure should be made applicable to all classes of debtors. But I would draw a distinction between the two categories of debtors, namely, those whose debts exceed Rs. 5,000 and those whose debts come below that amount. Statutorily, there should be no distinction; but, for the purpose of relief by administrative measures, the Government should be able to do something for those whose debts do not exceed Rs. 5,000, and this I would urge for reasons which have been strongly urged by the Committee itself. It would be seen that the class of debtors whose debts do not exceed Rs. 5,000 forms about 98 per cent of the total debtors in the State, so that, if Government are prepared to extend relief to the class of debtors whose debts do not exceed Rs, 5,000, they would be giving substantial help to the whole class of debtors in the State.

Now, I do not propose that the Government should find the necessary funds for all classes of debtors whose debts do not exceed Rs. 5,000. I would suggest that Government should be in a position to find the necessary funds to enable a very large section of this class of debtors to make payment to a very large extent. As a practical proposition, I would put it this way. Government should be able to provide such an amount for the relief of this class of debtors as would be liquidated by an equated payment of 4 to 5 lakhs every year, so that the whole amount could be paid off in 20 years' time. By providing such an amount, I do not suggest that the entire debt of this class could be completely paid off. But such a provision would go very far in the matter of affording relief to a large percentage of debtors as I believe that a large section would be able to negotiate with their creditors and settle by other means. I trust that such a method would bring about sub-stantial relief to the majority of debtors.

I would deal next with trade debts. A question has been raised whether trade debts should be included for purposes of relief. I think, again, it was Mr. Krishna Aiyar who pointed out, and the Committee

has also elaborated that point, that the whole system of trade is based on a chain of credit, extending from large scale merchants to the middle class merchants and then on to the retail merchants and, therefore, if one link snaps, the whole credit system will be dislocated. That point deserves very careful consideration for the reasons advanced by the Committee as also by others. For the very reasons put forward by the Committee, I hold that trade debts should be excluded from the purview of the Bill.

Another point I want to touch is the case of small debtors: the case, for instance, of a woman who has invested all her savings of, say, Rs. 3,000 or Rs. 4,000 with a rich man and whether such a case deserves consideration. In my view such cases should be excluded from the purview of any relief proposal. I think in the Madras Act, they have made special provisions for excluding such clas of debtors. I would urge the adoption of the same principle here also. These are some of the suggestions which I have to make on the subject.

MR. DOMINIC JOSEPH (*Member, Sri Mulam Assembly*); Sir, the working of the Agriculturists' Relief Act, now in force, has demonstrated that it has been a failure. It has failed to carry out the objects that the framers of the legislation had in view. Further, it does not justify the expectation that any appreciable result could be achieved by its operation. The debtors and creditors are at one in this matter. The Government also fully share this view and they have expressed themselves so in unmistakable terms in the order appointing the Debt Relief Committee. Such being the case, the question arose as to what should be the next step. The natural answer to the question was that there should be more effective, more adequate and more comprehensive steps taken to meet the situation. There was no use of mere palliatives, the result of which are merely unsubstantial. It will only mean useless expenditure and delay. We have reason to think that the Government also realised this, because the Government charged the Debt Relief Committee to report among other things on the extent to which compulsion may be resorted to, in scaling down and settling existing debts. Therefore, the question that should engage our attention at the present stage is as to the steps and methods, more effective and more adequate than the existing ones, that should be taken to meet the present difficult situation. In attempting to chalk out more effective methods, care should be taken to see that the lot of the debtors are not made worse than they are at present and that the reliefs that they at present enjoy are not whittled down. One need not be a prophet to say, if some of the suggestions made on behalf of the creditors are accepted, that a section of the debtors will be in a worse position than they are at present. Now, according to Section 33 of the present Act, the debtors, irrespective of the amount of the debt or extent of their landed properties, are entitled to claim a system of payment by instalments spread over a period not exceeding 12 years and 24 instalments. They are also entitled to the reduced rate of interest. But, if an upper limit is placed, as has been suggested, those persons above the upper limit will be taken away out of the ambit of the Relief Regulation. In the name of giving more

effective measures of debt relief, let not the debtors be divested of those small mercies that have been vouchsafed to them by the present Regulation, of those little reliefs that they enjoy at present.

If the present suggestions are accepted, it will mean that the existing Act now in force was considered so thorough-going and far-reaching in its effect, that this session was convened to concert measures to tighten it, and to put restraint upon its present operation. That is a result which does not fall in with the original intention.

Now, I will address myself to the question whether an upper limit should be fixed and thus differentiate agriculturist debtors. That will be an invidious distinction and it is quite uncalled for. I am entirely in agreement on this point with Mr. Kainikkara Padmanabha Pillai. Such a provision would entail injustice and unnecessary hardship to the major debtors, that is, debtors above the so-called upper limit. It is said that there is no special money-lending class as such in Travancore. Many of the debtors are also creditors and many-of the creditors are also debtors. The Agricultural Debt Redemption Committee found that 24% of the debtors are also creditors and that the debtors, who are also creditors, were more indebted than the simple debtors. Paradoxical as it may seem, it is explained by saying that the debtors, who are also creditors, can command greater credit and have got greater borrowing facilities. Thus, several of the major debtors are also creditors. If an upper limit is placed, the major debtors will be refused the benefits and reliefs of the Debt Relief Act. Not only that; with regard to the debts which the major debtors will have to realise, these provisions will be applied. That is imposing a double penalty upon them. To do justice to them, if the major debtors are excluded, the debtors of the major debtors also will have to be excluded. If that is done, all the creditors will say that they are also major debtors, to escape from the provisions of this bill.

Another ground urged for exclusion is that there will have to be a financing agency to pay off the debts and that if the major debtors are included, it will be beyond the resources of that financing agency to pay the total amount of debts. That is a position which we can appreciate quite well. For that the answer is simple. The financing agency need not undertake the responsibility to pay off the major debts. Let the major debtors be left alone.

Then what remains is a reduced rate of interest and payment by instalments. Why should these reliefs be denied to them?

Another consideration to which I invite the attention of this House is that the fixing of a monetary limit will not serve the underlying purpose of a bill of this kind. On the other hand, it will be defeating that purpose. The rehabilitation of the agriculturist is said to be its underlying purpose and rehabilitation of the agriculturist is the pivot upon which the prosperity of the country depends. If the major agriculturists are left out of account and allowed to rot, that will not be conducive to the well being of the State.

The exclusion of the major debtors from the ambit of the Relief Act does not stand to reason also. It is mainly forces beyond their control that have brought the agriculturists to their present deplorable situation. The commodities have fallen in value by 60% and more. The value of the land also has gone very low. The purchasing power of the money has gone up and the purchasing capacity of the agriculturist has considerably dwindled. The outstanding fact about the present situation is the steep fall in the prices of our principal articles of export. It is inevitable that in an agricultural country like Travancore such fall in the prices should cause an abnormal and sudden increase in the burden of debt. This increase affects both the big man and the small man. Copra which fetched Rs. 150 per candy in 095 and Rs. 110 in 1103, now stands at Rs. 56 in 1115. Paddy which stood at Re. 1 Chs. 9 in 1095 and Chs 25 in 1101, per standard para in Kuttanad now stands at Chs. 12. Pepper which stood at Rs. 625 in 1103 now stands at Rs. 75. Dry Ginger which stood at Rs. 200 per candy in 1104 now stands at Rs. 70. Rubber which soared to 206 cents in 1926 came down to 14 cents in 1931 and now stands at 53 cents. Thus, it will be seen that the principal agricultural commodities have gone to a third and even less of their original price. In the face of these figures, is it just, is it proper, to attribute the indebtedness of the major debtors to speculation and various acts of commission and omission?

Finally, it has to be considered whether these major debtors are such undesirable elements, that they should be treated as outcastes, that they should be taken away from the pale of any relief provisions. Mr. S. Krishna Aiyar said that the chief cause of agricultural indebtedness in Travancore is improvidence. The Agricultural Debt Redemption Committee on page 10 of its report says that the imputation that the indebtedness of the agriculturist is due to improvidence or speculative dealings is an unjust imputation and opines that the present situation has been brought about by forces beyond their control. The Banking Enquiry Committee of which Mr. Krishna Iyer was a member also say that the agriculturists of Travancore are not extravagant as a rule.

I seriously ask the House to decide whether it is the random opinion expressed by Mr. Krishna Aiyar on the floor of this House or the finding of responsible committees like the Agricultural Debt Redemption and the Banking Enquiry Committees that must be accepted.

Sir, it has been stated that most of the debtors were speculators; but nobody has cared to state what speculation means. I would ask whether the cultivation of rubber or tea, or the reclamation of *kayal* or the acquisition and ownership of large tracts of *cherikkal* lands for paddy cultivation would be speculation. If the plantation of Rubber and Tea and the ownership of big *cherikkal* lands are speculative enterprises, then Mr. Krishna Aiyar would be the greatest speculator in Travancore. If the above are speculative dealings, such dealings have been of immense benefit to Travancoreans. I would invite the attention of the House to the findings of the A. D. R. Committee on this question. They say

"If it was the result of land speculation, it was a speculation by which the State and the general community have benefited permanently."

I would also draw the attention of the House to the vast contribution that the so-called speculators have made to the development of the resources of the State in recent times. About that also, the Report States—

"During the 10 years preceding the depression the agriculturists brought under occupation 1,04,083 acres of wet land and 3,87,936 acres of dry land; 20,000 acres of dry land were converted into wet land in Nanjinad and 50,000 acres of *kayal* were reclaimed in Kuttanad. If we turn to the uplands of the interior, we have the same story to tell. Between 1100 and 1109, 88,175 acres of lands have been assigned for cultivation. Most of these lands are opened up and planted with tea, rubber, pepper and cocoanut."

Sir, it is the much-maligned major debtors that are responsible for this transformation. I would respectfully ask whether these achievments do not deserve credit at the hands of this House? Is it anything for which one should bend down his head in shame? It is through the laborious task and industry of these people that Nanjinad and Kuttanad have become the granaries of Travancore. It is through their indefatigable industry that the hilly regions of Travancore have become such smiling fields of pepper, cocoanut and rubber. It is through their exertions that the pressure of population in Travancore has been mitigated in however small a degree and the increasing population has spread to the interior. They have given employment to several people and added to the wealth of the country. If any invidious distinction is sought to be made among the agriculturists and the major debtors are sought to be excluded from the pale of the proposed relief provisions, then that would be putting a penalty on enterprise and industry, to say the least.

MR. P. NARAYANA PILLAI (*Member, Sri Mulam Assembly*): Sir, the first question that has to be considered is whether the benefit of the proposed legislation should be extended to all classes of debtors or whether it should be confined to certain debtors alone. Some of my honourable friends have stated that no relief need be granted to certain debtors. There is no doubt that that opinion is entitled to some weight; but difficulty would arise in arriving at a basis for any such discrimination.

Sir, the object of the proposed legislation is to relieve those who are suffering on account of their debts which they are not able to pay. Many of these debtors have been victims of the economic depression. There are many in this country who, solely on account of the smallness of their income, whatever be their profession, are not able to maintain themselves, and much less repay their debts; traders, industrialists and others are, in this respect, in the same plight as the agriculturists. There is therefore no meaning in drawing any distinction between debtors who are agriculturists and debtors who happen to be traders or industrialists.

But, as I said, some distinction must be drawn between the ordinary debtors and those other debtors who are rich and whose liabilities are huge. They are big businessmen in this country who deal in lakhs, who own a fleet of motor cars and who live a very luxurious life without attempting to repay their debts. It is really unjust to include such rich men among debtors to whom relief is to be granted. Sir, while the ordinary debtor of the land has not paid his debt on account of sheer inability, these people have not been repaying their debts although they were rich enough and could well afford to live like princes. The sort of life that they lead and the vast extent of properties that they own would show that they have no bonafides in asking for any relief from their debts. Therefore, while I maintain that no distinction should be drawn between traders and agriculturists, a distinction should be drawn between the wealthy debtor and the poor debtor; and, the wealth and status of a particular debtor should be taken into account in deciding whether he should be granted any relief under the proposed legislation.

Mr. Kottur Kunjukrishna Pillai and Mr. Dominic Joseph were arguing that the benefits already granted by means of the Conciliation Act should in no event be taken away. I think that is quite reasonable, Sir, under the Conciliation Act, the Chief Conciliation Officer can entertain applications for debts amounting to a maximum of Rs 15,000, Now, that amount can be fixed as the maximum for a debtor claiming relief under the proposed enactment; any debtor whose aggregate debt amounts to over Rs. 15,000 should be excluded from the proposed measure.

In regard to banks and co-operative societies, my opinion is that they should not be given any special treatment. A substantial portion of the present debts in the country represents the accumulated interests; and banks and co-operative societies are no exception in that respect, A large number of people have taken loans from banks and co-operative societies; transactions with them are as numerous in this country as money transactions between private individuals. Therefore, exempting banks and co-operative societies from the operation of the proposed legislation would be practically denying the benefit of this measure to the bulk of the population. If, however, it is decided to accord a special treatment to banks and co-operative societies, the maximum interest leviable by them should be fixed as 6 per cent, and the rate of interest for other debts should be further reduced. The argument advanced in favour of these banks and societies is that, unless they are allowed to realise their assets in full, they would not be able to pay their debts. Sir, the proposed relief measures are intended to safeguard the interests of debtors as well as creditors; while there is the proposal to reduce the rate of interest and to scale down the debt, there is also the corresponding provision enabling the creditor to realise his dues more easily than at present. The banks and co-operative societies cannot say that they are now able to realise their dues in full; almost every case has to be taken to court, and even after obtaining decrees execution takes a very long

time. Therefore, what they stand to lose by the scaling down or reduction of interest, they stand to gain by speedy realisation of their dues. It is not therefore reasonable to argue that, unless banks and co-operative societies are excluded, they would not be in a position to pay off their debts; in fact, their position would be improved after the proposed legislation comes into force, since they would be getting cash.

The passing of a suitable legislation alone would not solve the problem. Some credit agency ought to work in order to finance a few of the debtors. But the fear entertained in this connection is exaggerated to a certain extent. It is not necessary to finance all the debtors, because most of these debts will be settled by agreement between the parties provided suitable relief measures are provided for. The proposal is to provide for repayment in instalments which would mean that the debtors can repay without the help of any extraneous credit agency. If the concessions to be granted are suitable, I am sure the number of debtors who would require Government help would really be very small, and the difficulty of financing the debtors will not be so great as is imagined to be.

Sir, some honourable members seem to think that there is no necessity for this piece of urgent legislation; they seem to argue that if there is fall in prices now there would surely be a corresponding boom in the near future, and that therefore no relief need be granted to the debtor to relieve him of his present distress. But, it must be admitted that, although it is some years since the depression set in, we do not see any boom in prices. Most of the debtors find it very difficult even to maintain themselves. Unless speedy measures are adopted to relieve them from their debts, there is no doubt that they would be ruined.

Further, the step taken by the Government in this direction has proved a failure. The Debt Conciliation Act has proved inadequate; the Conciliation Boards have not functioned properly. Their failure cannot be attributed to any defect in the system of conciliation; it is simply due to the inadequacy of the provisions of the Act to meet the requirements of the people. If the Boards themselves had been given sufficient powers to enforce their decision, the Conciliation Act would have proved really beneficial to the people. As it is, the remedies proposed are quite necessary, and a legislation is imminent.

The A. D. R. Committee has suggested certain reliefs. But, according to me, some of them are not equal to the occasion and require immediate modification. The interest fixed by the Committee is excessive. Future interests should be reduced to 4 per cent. As I said, the bulk of the present debt represents accumulated arrears of interest. Such a thing would not recur if the rate of interest is reduced to 4 per cent., since the debtor would be able to pay it regularly and punctually, and will not be forced to let them fall into arrears. Further, if money ceases to yield high rates of interest and the interest is more or less equal to the yield from immovable properties, moneyed men will be tempted to invest in property, and that would enhance the value of property and in turn enable the debtor to raise sufficient funds, on the security of his property, to repay his debt.

MRS. ABERNAM GNANASIKHAMONY: Sir, I would like to say a few words with regard to the rural indebtedness. There are instances of persons who have given their hard savings on loans to respectable persons for interest, thinking that they would give them back their money whenever they need. But these respectable gentlemen now want to take shelter under the Debt Relief Act. I say this with special reference to the lot of many widows who have even pledged their ornaments on the death of their husbands for their expenses and who have also given their hard earned hoardings of mony on loan to several respectable people. Many cases are pending in the civil courts regarding these transactions. It is the duty of this House and the Government to see that these poor people are not victimised by their debtors. They are also very anxious about this Act. Undoubtedly there are speculative debtors in our country also. When they were successful in their speculations, did they come forward and offer to share their fortune with their creditors? But, now when they fail in their speculation they want their principal scaled down, interest reduced and so on. Surely there are honest and dishonest debtors as well as honest and dishonest creditors and it is indeed very hard to distinguish the one from the other. Yet it is the bounden duty of the Government and of this House to see that these powerful and dishonest debtors do not get an upper hand over the poor and the weak.

MR. G. NARAYANA AIYAR (*Menber, Sri Chitra State Council*): Sir, the debtors who are really unable to pay must be given adequate relief: this cannot be disputed. The capacity of the debtor to pay should be the test for any sort of legislation which will affect the creditor and the credit prevailing. The debtor who is really able to pay must pay up to the last pie. The creditor who is really unable to forogo any portion of his claim must be exempted from the operation of the future legislation. It is useless now to object to the introduction of an amended Bill in the face of the assurance by the Government to introduce a new Bill. Act III of 1112 was passed in Dhanu 1112. Conciliation Boards were established in 1113. The agitation for a new Bill was started simultaneously without waiting to ascertain the effect of Act III. Though such Acts were passed in British India from 1934 onward nowhere in British India was any step taken to amend or repeal Debt Relief Acts once passed. The present attempt at disturbing existing assured rights is quite unconstitutional. When that Act was on the legislative anvil the Government wanted to ascertain the views of the Judges of the High Court in the matter of passing such an Act. Their Honours have expressed their opinion from which a portion alone was read out by the previous speaker. I shall read a few more lines from that opinion which are pertinent to the present enquiry. Paragraph 14 of the memorandum runs as follows:

"To give retrospective operation to the Bill as proposed is certainly liable to be assailed as being confiscatory in nature".

Again in paragraph 19 we find the following:

"But as the Bill now stands it will instead of helping them eventually work harm to public credit and also to themselves",

That forecast of the Honourable Judges of the High Court has turned to be true as has been testified by the report of the Committee. At page 20 of the report it is stated as follows:

> "As a matter of fact, credit even today is paralysed, it is already frozen. Little money has been forthcoming during the last three or four years and most old loans have merely been renewed."

Again at page 55 it is stated thus:—

> "In future, it will be more difficult to get such loans even on these disadvantageous terms, as the individual money lender is likely, on account of the difficulty of realising the debts, to limit his business. That has been found in British India to be one of the immediate effects of the Debt Relief Legislation".

Sir, it is also worthy of note what the Reserve Bank of India has remarked as regards such Acts passed in British India. They observe in one of their recent statement that since the passing of the Debt Relief Acts in various parts of India credit has been completely shaken and that the Bank ought to be very cautious as regards future loans.

Here the real reason for the proposed enactment is that in spite of Act III of 1112 Government had to yield to the agitation for a new legislation by some interested parties. Now, it is useless to go over the reasons in detail. But I would suggest certain facts for the kind consideration of the Government in framing the new Bill. Sir, first of all, there is an anomaly with regard to the provisions of certain sections of the proposed Bill. Section 34 of Act III of 1112 lays down that future interest on money transactions in existence on the date of the Act shall not exceed 6 per cent per annum and Section 36 lays down that future interest on past paddy transactions shall not exceed 9 per cent per annum. Even that rate of interest which was guaranteed by the existing Act is sought to be affected and reduced by the provisions of Sections 5 and 6 of the proposed new Bill which lay down that past interest till the commencement of the new Act shall be calculated only at the rate of $4\frac{1}{2}$ per cent. for money debts and 6 per cent. for paddy debts. Such retrospective provisions are not only confiscatory but also highly objectionable, because they seriously affect the confidence of the public in legislative enactments. Rights declared by the legislative enactments should not be so lightly taken away so soon without any compensation. Section 35 of Act III of 1112 enacts that for a period of 3 years from the commencement of that Act future interest shall be recovered at 6 per cent. per annum on secured loans and at 9 per cent. per annum on unsecured loans. Such guaranteed interest is sought to be reduced by the new Bill, even for the guaranteed 3 years. Interest as such might have been recovered and spent. Such transactions were entered into with open eyes under legislative guarantee after the economic depression had attained its zenith. To undo such provisions is illogical and unjustifiable. The guaranteed rate may be retained for the guaranteed period at least, since that rate was fixed fully realising the serious economic depression.

These are matters which ought to be taken into serious consideration by Government before they enact a new law. Coming to Section 38 of Act III of 1112 it restricts the operation of the Act only to

mortgages (otti) in existence on the date of the Act and not to transactions to be entered into after the Act with open eyes. To nullify those subsequent transactions also by the proposed Bill acting retrospectively is not sound. The otti and lease back transactions are really very advantageous to the debtors. If the debtor does not pay the pattom which is said to be interest, the creditor need file only a suit for arrears of pattom and need not sue for principal also. The court-costs necessary for such a suit will be comparatively small when compared with the suit for principal and interest. The period of limitation for a hypothecation is only 12 years whereas in the case of an otti it is 50 years. Thus, even the present section is disadvantageous to the debtor. To continue it any further is very hard.

I would suggest two or more facts for the consideration of the House with regard to the proposed legislation. It is highly necessary that some minimum limit should be fixed for the debts to be considered under the new Bill. We find such limits in the Madras Debt Conciliation Act. The Madras Act has fixed the minimum limit for debt conciliation to be Rs. 100 and above. It is highly necessary to fix such a minimum limit for our Act also. To conciliate or legislate for amounts below that is not advisable. It is advisable to have a maximum limit also of debts to be brought under the Relief Act. Then, as regards the maximum limit, let the maximum be Rs. 5,000; or, persons who pay income tax or having an income of over Rs. 2000 annually may be exempted from the operation of the Bill. In this connection, I want the honourable members to note what the Royal Commission on Agriculture has said about the relief of rural indebtedness. They have plainly said that it is not by legislative measures that rural indebtedness is cured, but by other means. Sir, I may be permitted to read a few lines from that report. In paragraph 363 of the report we find the following:

> "That the position of the money lender should have been undermined to so small an extent by centuries of effort to control him, sufficiently illustrates the difficulty of the problem. In the present state of India he is a necessity and that being so, his calling will not be abolished by making it illegal. He alone is in a position to provide the bulk of the capital required for the current agriculturists' needs and on a recurrence of severe distress he will continue as in the past to support the people by timely loans. If he is driven from the land it will not be by legislation but by the growth of co-operative movements more especially by the habits of thrift inculcated by that movement. Where thrift is absent the vagaries of the monsoon drive the people to borrow and unless the co-operative movement spreads into every village and includes every inhabitant in its fold, borrowing will continue.
>
> So much is this the case that well-meant attempts to give them a fresh start by wholesale redemption of old debts have proved unsuccessful. Where co-operative societies have advanced enough to repay all claims of money lenders, the debtor fails to make the effort to pay regular instalments even when they are well within his capacity and slips back into the old state of bondage. It is now generally accepted that such attempts should not be made by co-operative credit societies until the debtor has learnt habits of punctuality and thrift........ Turning to the future, we have no hesitation in recording our belief that the greatest hope for the salvation of the rural masses from their crushing burden of debts rests in the growth and spread of healthy well-organised co-operative movement based upon careful education and systematic training of the villagers themselves."

This has been found to be true so far as we also are concerned. Sir, I may be permitted to state that after the passing of Act III of 1112, although it has been submitted by some of my friends here that creditors are taking vigorous steps and all that, actual figures show that the income derived from the administration of justice in 1113 is Rs. 3 lakhs less than what was realised in 1112 and that the income derived in 1114 is less than what was realised in 1113. It is also seen that the amount realised in execution of decrees in 1113 is about Rs. 7 lakhs less than what was realised in 1112 and that the amount realised in 1114 is less than what was realised in 1113. Litigation has gone down and realisation by execution of decrees and sale of properties has also gone down because of the possibilities of legislation and various conveniences given to the debtors to postpone payments What we find generally in civil courts is that as soon as a decree is obtained and an attempt is made to proceed against the person of the debtor, the debtor goes to the Conciliation Office and gets a stay of the proceedings in the civil court. The stay is given automatically. I have known of several cases in my practice where the Conciliation Officers in North Travancore have even gone to the extent of reducing the amount to half of the amount claimed. Even then, none of the debtors take the opportunity to pay the creditor. Their only idea seems to be to postpone payment. That has been found to be the case in regard to sales in auction. It is only with a great deal of difficulty and waste that property is brought to sale and a date is fixed for the auction. The debtor waits till the previous day and then he rushes to the Conciliation Court and comes with a stay to the Civil Court. So long as the tendency of the legislature is to see that attempts to arrest the person of the debtor are discouraged, it has become very difficult to realise decree debts. Reopening of Court sales is highly objectionable. Now, all the gold in the State has been exported or sent out. Loans can be had only if you pledge gold or Government security. If you go into the country parts and ascertain for yourself whether any loan is available, you will see that all are placed in very serious difficulty. The public have lost all faith in lending money to individuals but they want to invest it in places from where they can get at least the principal when wanted and without difficulty. That will be seen from the heavy deposits in the Anchal Savings Banks even though the interest is very little. Nobody is now prepared to risk giving money to his neighbour even if he is in dire necessity, for fear of being drawn down by legislative interferences. Thus, it will be seen that credit is shaken and in the circumstances Government should consider seriously and deeply before launching upon legislation which may drive credit from the country.

In this connection, I will deal with the question of interest also. The Act of 1112 and the proposed legislation do not make any distinction in regard to interest for small and big loans. It is highly necessary that there should be difference between the rate of interest for small loans and that for big loans. I would suggest that as in British India a higher rate of interest 9 for secured and 12 for unsecured loans

should be provided for investments below Rs. 500 and a lower rate should be fixed in regard to loans above Rs. 500. It is said that if the rate of interest is low for small transactions, it will be very difficult to raise any amount as loan.

As regards the exemption suggested by Mrs. Gnanasikhamony, I would suggest the following exceptions to be inserted in the proposed bill:

(a) any debt or debts due to a woman who on the date when the proposed Bill comes into force did not own any other property; provided the principal amount of debt or debts did not exceed Rs. 3,000 besides the house in which she lived or any other furniture or house hold utensils, wearing apparel, jewellery or such like personal belongings of the woman creditor (as in the Madras Act)

(b) vendors' lien for recovering the balance of sale price due to him;

(c) purchasers who after the economic depression have purchased properties providing for payment of debts of the vendor.

We find such exemptions elsewhere also.

MR. M. R. NARAYANA PILLAI (*Member, Sri Mulam Assembly*): Sir, like many other members in this House I was also hoping for a Bill to be introduced for discussion during this session. That was what I understood from the Dewan-President's statement when the adjournment motion was moved at the last session of the Assembly. The Honourable the Legal Remembrancer also hoped to introduce a bill for discussion at this session. But we have heard in the address from the Chair that the Government have met with certain difficulties and entertain certain doubts that have to be cleared before a bill could be introduced either in the Assembly or in the Council for debate. There is no doubt that the Government is confronted with many a difficulty in finding a proper solution for the knotty problem of debt relief in Travancore. At the same time, one cannot ignore the fact that it is the duty of the Government to enact such legislation as is needed for the country and for the benefit of the people. There is no need for me to say that the Government must extend their help to the rich and to the poor, to the creditor and to the debtor. There are certain points that were raised by the Dewan-President with a view to the drafting of a Bill and the first is the extent to which the Government can step in, in the matter of affording relief. With regard to all the other matters, the Dewan said that the Government had more or less accepted the recommendations in the report of the Committee.

So far as I am concerned and so far as I have been able to gather as the opinion of the electors in my own constituency, as regards the extent to which the Government can step in, I may say that Government should step in to the maximum extent that they possibly can.

As regards the applicability of the proposed legislation, I would suggest that it should be made applicable to *all alike*, and that there shall be no discretion left to the courts. Our experience has been that if discretion is left to the courts there will be delays which should be

avoid d. There should be a certainty, there should be a definiteness and there should be a finality in all these matters. Banks and Co-operative Societies shall not be excluded. Nor should trade debts be excluded. The same principle should be followed in regard to the small creditors. I say so, not because I do not have any sympathy with them, but because it will be very difficult to make a distinction and to make the machinery of the law work smoothly and satisfactorily. I say that whatever may be the nature of the Bill that is to be introduced for discussion here or for approval by us, such a Bill shall not make any distinction between the rich and the poor, between the creditor and the debtor or between the rich debtor and the poor creditor, and it shall apply to all alike.

Much was said about "speculators" and "agitators". There is a saying in Malayalam. "[illegible]". To those who come forward and say that all this is due to speculators, I say that it is not so; on the other hand there are speculators and agitators who are trying to prevent any enactment and to undo the effect of the recommendations of the Committee reached after very great deliberation and at heavy expense for the Government. It is these people who are the "speculators" because they speculated and made themselves rich and now that they find that there are debtors who really deserve the sympathy and the help of the Government, they want to undermine the attempts of the Government and that is why they want to brand those who want the present legislation as speculators. That was all unwarranted, and should not have been said at all.

With regard to the re-distribution of wealth and expropriation and the rest of it, we have all heard of the word 'JUBILEE' in the English language. The derivative is neither Anglo-Saxon nor Latin. It comes from the Hebrew language. In ancient times the Jews were accustomed to re-distribute wealth once in fifty years. Slaves were set free. Properties sold for debts reverted to the original owners and all undischarged monetary obligations were considered fulfilled. They celebrated this event once in fifty years, and this was called "jubilee" celebration. In those days when there was not much money and when there were not "speculators" or "agitators", things happened normally and we too can have them happen now.

The President remarked that half the trouble in Travancore to-day was due to the delay in courts. In regard to this, I make a suggestion. There is a provision in the British Indian Civil Procedure Code, Order XXXVII for summary procedure. If that is applied to Travancore with certain modifications, I am sure a great deal of the present day difficulties could be avoided. This may be tried at least in the case of the commercial towns and as an experiment it may be tried in the town of Alleppey where the District Court could be given the jurisdiction. I am sure that if that is done it will afford much relief. When I say this I should not be taken to be speaking as a politician with an eye to getting votes at the next election or for press popularity. I say what I feel in the matter, and having ascertained the view of my constituency.

MR. T. K. KITTAN (*Member, Sri Chithra State Council*) : ഈ രാജ്യത്തു ജനങ്ങൾ കടത്തിൽ മുങ്ങി ഇരിക്കുകയാണ്. കടങ്ങൾ തീക്കാൻ വേണ്ട നിവൃത്തിമാർഗ്ഗം നിർദ്ദേശിക്കുന്നതിന് ഒരു കമ്മിററി രൂപീകരിച്ചു. കമ്മററിക്കാർ വളരെ ശ്രമിച്ച് ഒരു റിപ്പോർട്ട ഗവണ്മെൻറിലേക്കു സമർപ്പിച്ചിട്ടുണ്ട്. റിപ്പോർട്ടിൽനിന്നു ഭിന്നമായി, കമ്മററിയിൽ ചിലരുടെ പ്രത്യേക അഭിപ്രായങ്ങളും അതിൽ പ്രതിപാദിച്ചിട്ടുണ്ട്. സപ്ലിമെൻററ റിപ്പോട്ടും ഡിസെൻറിംഗ് നോട്ടും ഓരോരുത്തർ പ്രത്യേകം പ്രത്യേകം അഭിപ്രായങ്ങൾ രേഖപ്പെടുത്തിയതുകൊണ്ട് ആ സംഗതിയിൽ ഗവണ്മെൻറിനു സംശയം തോന്നിയതിനാലാണ് ഈ സംയുക്ത സമ്മേളനം വിളിച്ചുകൂട്ടി എല്ലാ മെംബറന്മാരുടേയും അഭിപ്രായം അറിയണമെന്നു നിശ്ചയിച്ചതു്. കമ്മിററിയിലുള്ള ൧൩ പേർ തങ്ങളിൽ അഭിപ്രായവ്യത്യാസം വന്നതുപോലെ ഇവിടേയും വലിയ അഭിപ്രായവ്യത്യാസം വരികയാണെങ്കിൽ ഗവണ്മെൻറു വേറെ വിധത്തിൽ പരിഹാരമാർഗ്ഗം ചെയ്തുകൊള്ളുമായിരിക്കും. ഇവിടെ തോട്ടക്കാരനും ബാങ്കുകാരനും ഓരോ വശങ്ങളിൽനിന്നും യുദ്ധം ചെയ്യുന്നു. "നിങ്ങളെല്ലാവരും യോജിച്ച് വരാതിരുന്നാൽ ഗവണ്മെൻറു വേറെ വിധത്തിൽ കാര്യം നടത്തുമെന്നു അദ്ധ്യക്ഷൻ അവർകൾ പറയുന്നു". കടക്കാർ ആരും തന്നെ ഒരു ചക്രവും കൊടുക്കുന്നില്ല. ഉത്തമർണ്ണൻ, അധമർണ്ണൻ എന്നീ പേരുകൾ ഉച്ചരിക്കുന്നതിനു തന്നെ വളരെ പ്രയാസമായിരിക്കുന്നു. അതുകൊണ്ടു ആ പേരുകൾക്കു പകരം മുതലാളി എന്നും കടക്കാരൻ എന്നും പറഞ്ഞാൽകൊള്ളാം. കടക്കാർക്കുവേണ്ടി ഗവണ്മെൻറിൽനിന്നും എന്തോ ചില സഹായങ്ങൾ ചെയ്യാൻ പോകുന്നു എന്നു കേട്ടതുകൊണ്ടു പലരും പണം കൊടുത്തു തീർക്കാതിരിക്കുന്നുണ്ട്. മുതലാളിമാർ കുറെ സൗജന്യങ്ങളും വിട്ടുവീഴ്ചകളും ചെയ്യണം. മുതലും പലിശയും ഈടാക്കാൻ സൗകര്യമുള്ളവരുടെ പക്കൽനിന്നും മുഴുവൻ സംഖ്യയും ഈടാക്കണം. പലിശയെ സംബന്ധിച്ച് വിട്ടുവീഴ്ച ചെയ്യേണ്ടവർക്കു അങ്ങിനെ ചെയ്യണം. പലിശ മുഴുവൻ ഉപേക്ഷിക്കേണ്ട സ്ഥാനത്തു ഉപേക്ഷിക്ക തന്നെവേണം. മുതലിലും കുറേ ഉപേക്ഷിക്കേണ്ടതായി കാണുന്ന സ്ഥലത്തു അങ്ങനേയും ചെയ്യേണ്ടതാണ്. ഇങ്ങിനെ ചെയ്കയാണെങ്കിൽ മിക്കവാറും കടങ്ങൾ തീരുന്നതാണ്. കടത്തിൻെറ ൩൦ ശതമാനം രൊക്കമായി കൊടുക്കുകയാണെങ്കിൽ ഇന്നത്തെ കടമിടപാടുകൾ മിക്കവാറും തീക്കാമെന്നു പലരും സമ്മതിച്ചിട്ടുള്ളതായി കേട്ടിട്ടുണ്ട്. അങ്ങിനെ ചെയ്യുമെങ്കിൽ അതു വലിയ ലാഭമാണ്. ൩൦ ശതമാനം കയ്യിൽ കിട്ടിയാൽ അതുകൊണ്ടു വേറെ എന്തെങ്കിലും തൊഴിൽ നടത്താം. സ്പെക്കുലേഷൻ എന്നൊരു

വ്യാക്ക ഇവിടെ പലരും വാശിയോടുകൂടി കൈകാര്യം ചെയ്യുന്നതു കേട്ടു. അതു നാടിന്റെ നാശം ചെയ്യുന്നതാണെങ്കിൽ ഉടൻ ഉപേക്ഷിക്കേണ്ടതാണ്. ഈ രാജ്യത്തു് ധനക്ഷയം ഉണ്ടായതു ൧൧൦൭ മുതൽക്കാണ്. ഉല്പന്നങ്ങളുടെ വിലക്കുറവാണതിനു കാരണം. ലോകം മുഴുവൻ സാമ്പത്തികാധഃപതനം തന്നെയാണ്. അന്നു മുതൽ വാങ്ങിച്ച കടം കൊടുത്തു തീക്കാൻ നിവൃത്തിയില്ലാതെ ജനങ്ങൾ കഷ്ടപ്പെടുന്നു. പലിശ കുറച്ചു പല ഗഡുക്കളിലായി പണം തിരിച്ചടയ്ക്കുന്നതിനു സൗകര്യം ചെയ്തുകൊടുക്കണം. ഈ രാജ്യം ഭൂലോകത്തിലെ സ്വർഗ്ഗമാണെന്നാണ് വെളിയിലുള്ളവർ പറയുന്നതു്. എന്നാൽ അഞ്ചെട്ടു് വർഷമായി ഇവിടം നരകമായിരിക്കയാണ്. നാം എല്ലാവരും ഒത്തു ശ്രമിച്ചാൽ പണ്ടത്തെപ്പോലെ ഇവിടം സ്വർഗ്ഗമാക്കാൻ കഴിയും. പത്തുകോടി രൂപാ ഉണ്ടായിരുന്നാൽ മുപ്പതു കോടി രൂപയുടെ ഇന്നത്തെ കടമിടപാടുകളെല്ലാം തീർക്കാൻ സാധിക്കുമെന്നു തോന്നുന്നു. എനിക്കു വരേണ്ട പണം നാലഞ്ചു പേൎക്കു കൊടുക്കാനുള്ളതായിരിക്കും. അങ്ങിനെ പരസ്പരം തട്ടിക്കഴിച്ചു ബാക്കി രൊക്കം കൊടുത്താൽ കടം തീക്കാൻ സാധിക്കുന്നതാണ്. മരിച്ചീനിയും തിന്നു, കഞ്ഞിയും കുടിച്ചു കിടക്കുന്ന ഇവിടത്തെ ബഹുഭൂരിപക്ഷം ജനങ്ങൾ അധികം ചെലവു ചെയ്യുന്നു, എന്നു് പറയുന്നതു് വെറുതെയാണ്. തോട്ടക്കാർ വളരെ കഷ്ടപ്പെട്ടു് വന്യമൃഗങ്ങളോടു യുദ്ധം ചെയ്താണു അവരുടെ കൃഷികൾ നടത്തിവരുന്നതു്. ബാങ്കുകാരും വളരെ വിഷമിച്ചു തന്നെയാണു കാര്യങ്ങൾ നടത്തുന്നതു്. അവരുടെ ആഫീസും മററും കാണുമ്പോൾ എല്ലാം ഭംഗിയായി നടക്കുന്നു, എന്നു തോന്നും. കായൽ കുത്തിയെടുത്തു കൃഷിസ്ഥലമാക്കുന്ന സംഗതിയും വളരെ വിഷമമുള്ള ജോലിയാണ്. ഇവിടെ കടക്കാരും മുതലാളിമാരും വളരെ കഷ്ടപ്പെടുന്നുണ്ടു്. ഈ രണ്ടു കൂട്ടർക്കും രക്ഷാമാർഗ്ഗം അത്യാവശ്യം തന്നെ. പക്ഷേ രണ്ടു കൂട്ടർക്കും വിട്ടുവീഴ്ച ചെയ്യാൻ സമ്മതമില്ലെങ്കിൽ കാര്യമൊന്നും നടക്കുകയില്ല. മുതലാളിമാർ പലിശയും പലിശയുടെ പലിശയും മററും വേണമെന്നു് ആവശ്യപ്പെട്ടാൽ സാധിക്കുകയില്ല. ഗവണ്മെന്റിൽനിന്നും ഇതിലേക്കു ഒരു തീരുമാനം ചെയ്തതിനു ശേഷമേ ഇടപാടുകൾ തീക്കയുള്ളു എന്നു പല കടക്കാരും പറയുന്നു. ഗവണ്മെൻറിന്റെ തീരുമാനത്തിനു വിധേയമായി പണം വാങ്ങിക്കൊള്ളാമെന്നും അതിനു രസീതു് എഴുതി കൊടുക്കാമെന്നും പറഞ്ഞിട്ടു് എനിക്കു പണം തരാനുള്ള ഒരാൾ നിഷേധിക്കയാണു് ചെയ്തതു്. കടക്കാരെ സഹായിക്കുന്നതിലേക്കു ഗവണ്മെൻറു് പത്തു കോടി രൂപായെങ്കിലും ശേഖരിച്ചു വച്ചുകൊണ്ടു് ശ്രമിച്ചാൽ ഇന്നത്തെ വിഷമസ്ഥിതിക്കു ഗണ്യമായ പരിഹാരം ഉണ്ടാകുന്നതാണ്.—

MR. JAMES FLETCHER (*Member, Sri Chitra State Council*): Sir, for the economic prosperity of a State or a province, under normal conditions, we consider four elements as very necessary; namely, labour, capital, land and captains of industry. In an agriculturist, we have the labour, the land and the captain of the industry in one person. He is ordinarily the possessor of the land; he is often his own labourer and he is the captain of his industry. All that he wants is capital. Without capital he cannot prosper. Thus, in this State, where 90 per cent. of the population are agriculturists, we have to consider two parties, namely, the agriculturists and the capitalists. For the prosperity of the State, these two parties have to be prosperous. Any injury that is caused to the capitalist will be injurious to the State. Any injury that may be caused to the agriculturists will also be injurious to the State. There fore, we have to find a *via media* where the injury will be the least and the resultant prosperity of the land will be great. That is the question we have to consider now.

Sir, the agriculturists have to borrow money for their operations. In the prosperous years, he could pay back out of the savings from the sale of his agricultural products; but the time has come when the agricultural products do not fetch old prices. Thus he is unable now to pay back the moneys that he has borrowed. When he is not in a position to pay back his debts, what should be done by the capitalists? The capitalists cannot prosper without the agriculturists, for they depend for their prosperity upon the prosperity of the agriculturists. Therefore, I submit that the only thing that the capitalists can do is to make certain concessions, say, in the form of reduced interest and in the form of receiving capital lent by instalments. These are the two things that can be easily done without any injury to the capitalists, at the same time, giving the necessary help to the labourer or the agriculturists. So, these two things can be compulsorily brought into force by some law that can be passed by this Legislature.

It may be said that the agriculturists have received moneys under definite contracts and that therefore no change could be made in the contract. That is not a correct argument and it could be said that when the contract was made it was vitiated by undue influence. Similarly, the agriculturist may say that when the money was lent the produce was worth much more than it is now. As one of the members remarked, one candy of pepper, which was worth Rs. 600 a few years ago, is only fetching Rs. 50 now. If ten years ago pepper cost only Rs. 600 and now the price has risen to Rs. 1000, will the debtor pay back the money now he has earned by way of profit together with the sum he has borrowed? No; he will say that he has borrowed only Rs. 600. Therefore we cannot go back to the price of the article for the amount borrowed years ago.

One of the questions that has been brought for our consideration is, how far Government can step in in bringing about relief to the debtors. My submission in this matter is that Government ought not

to raise loans or debentures for paying these debts, because, in my opinion, we will be taxing the future generation for the present advantages. Whatever relief is done now it should be effected by bringing about adjustments between the debtor and the creditor. I have no objection to the lending of a sum of money by the State every year for his purpose, but that money should be taken from the budgetary tcome of that year and not obtained by taxing the future generation in this purpose.

I may next suggest that to the exceptions referred to in the proposed Bill, debts due to widows and minors from rich debtors may be added. In this State, as is well known, amounts left in the hands of widows are lent out on hypothecation bonds to rich persons. On the income from that money, a widow maintains herself. Similarly, minors too live upon such income; they get themselves educated with the money so lent out. If the Debt Relief Regulation comes into vogue and affects such debts, naturally, the persons in whose favour the trust is made would be starved. It may sometimes happen that the person on whose behalf money has been lent may not be able to realise the sum till he attains majority. Under such circumstances, it is necessary that an exception be made stating that the dues to the widows and minors may be exempted from the relief operations of the proposed law.

Then, there is the question whether banks are to be brought under the operation of the Act or not. When we consider the different people of Travancore, we find there are debtors pure and simple, there are persons who are both debtors and creditors, like chitty foremen and banks and there are pure and simple creditors. The bankers come as under the category of both creditor and debtor classes. As debtors they have to pay back money immediately when demanded. While, as debtors they are obliged to pay money immediately, as creditors they should not be compelled to get back their money from debtors by instalments. So, the bankers should not be forced to receive their debts in instalments. In the same way as they have to pay, they should be enabled to receive their debts. The chitty foremen, likewise, are debtors and creditors. In their case, debts could be adjusted in such a way that the foremen need pay their creditors in instalments. Similarly, they can realise the money in instalments. Therefore, scaling down of the amounts or payment in instalments, in my opinion, should not be made applicable to bankers.

In this connection, I have to point out that the proposed law is only a palliative, intended for the time being. Such a trouble arises because this is entirely an agricultural country. If there are industrial concerns here this sort of difficulty would not have arisen. There will be better prosperity. A permanent relief can be had only by the introduction of industrial enterprises in the State. I may remind the honourable members who had the good-fortune of seeing a new industry opened yesterday that it would be a source of great prosperity to this country. This enterprise would bring about a perennial supply of big

capital to Travancore. We have to heartilly thank Government for encouraging that industry and thereby bringing the State into a prosperous condition. Relief to agriculturists can be properly effected only by introduction of proper industries which in turn would bring big capital into Travancore.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Legal Remembrancer to Government*): Sir, it is gratifying to note that on one or two important matters where Government entertained doubts, there appears to be unanimity of opinion among the representatives of the people in both the Houses. It was a matter of very great anxiety to Government as to what their part should be for the purpose of liquidating debts. The representations made by creditors at various stages indicate that Government should undertake the responsibility of financing all the liquidated debts that may be brought within the ambit of the Act. Others who have the interest of the State at heart state that Government are under no liability to undertake any such responsibility. Many honourable members who spoke during the last two days have stated it as their definite opinion that Government should not undertake any such responsibility either by issue of debentures or by supplying all funds necessary for the purpose of liquidating the debts. On that question there appears to be a good deal of difference of opinion. I believe the Government and the public will now be convinced that the time which Government took for the purpose of deciding this matter was perfectly justified.

While a good many are of opinion that the Act should benefit only certain classes of debtors, there are a few who maintain that no such distinction should be maintained. Government entertain very serious doubts as to what exactly should be the scope of the Bill and the extent of help that they should undertake to offer.

Sir, as the officer of Government who has been mainly put in charge of scrutinising the proposed provisions of the Bill, I find very great difficulty in accepting entirely all the recommendations of the Debt Relief Enquiry Committee. The fact is that that Bill goes beyond any legislation undertaken by any Government in India, or for that matter even outside India. At all places where debt-relief measures have been adopted, Governments responsible for legislation never undertook to legislate for dealing with all kinds of debts. The Cochin Act, the Madras Act, the Central Provinces Act, the Bombay Act, and for that matter every other Act passed hitherto, and every Bill introduced and pending consideration with the various Legislatures, deal only with specific classes of debts. Three years ago, we ourselves passed a Bill to relieve the agricultural indebtedness. The expression 'agriculturist' is defined there. It confines its operation to agricultural debts. The definition of 'agriculturist' adopted in that Act was found to be unsuited to our conditions. It includes all persons whose main source of income is agriculture: the list is vague and it has so happened that every debtor seems inclined to claim that he is an agriculturist. The majority of the people in the State are no doubt

agriculturists, but there are a few who are non-agriculturists but in practice it has become difficult to determine whether a person is or is not an agriculturist. This is due to the drawback in the definition. Legislation undertaken elsewhere subsequent to 1112 has taken this into account and adopted a different method. The Madras and Cochin Acts define 'Agriculturist' as a person who holds an interest in immovable property. Whether he cultivates it, whether he gets any yield out of it, whether that is the main source of his sustenance, that does not matter. He has only to hold an interest in immovable property. This again has a fundamental defect. It excludes all those who have no interest in land, that is to say, landless or those whose interests are locked up in movable property. This is unnecessarily harsh. The Bill proposed by the Committee cures that defect and Government note with satisfaction that that is a fundamental advance made in the Bill as compared with legislations in force elsewhere. They have gone one step further and stated that all debts, whether due from a person who holds an interest in immovable property or not, should come within the ambit of relief. The Bill however goes even further and proposes that relief shall be given to all persons whether they need it or not. Opinion here is divided. There are some who do not want to make a distinction between those who have ability to pay and those who have not. Some others are of the view that relief must be given only to those who need it. That aspect of the matter has engaged the anxious attention of Government. That is the main question that was debated upon during the last two days in this House. We are not concerned with speculators in their various capacities, or with allegators or crocodiles, or snakes or vipers that have been destroyed by them. I am not concerned with the activities and achievements of our people and the contributions they have made to the prosperity of the State.

I put this question from the legal point of view. Much has been said about sanctity of contracts. Some said that no sanctity need be attached to a contract: others said that sanctity is not inviolate; a few others said that if there is justification it can be violated. Another set of persons said that it is absolute and that no legislature has any power to interfere with the sanctity of existing contracts. Government have adopted the view that the sanctity of contract can be interfered with when there is a necessity for it. To that extent Government have committed themselves and agree with those who have advocated the system of interference. But they have always done it within well-defined restrictions. Sanctity of contract is a matter which has been upheld by this legislature. It has interfered with it whenever it was convinced that there was an absolute necessity or justification for it. Let us take any Act that is in force in this State; if retrospective effect is given to any provision, if any existing right is interfered with, it is done because there is a just demand, an overwhelming necessity for the adoption of such a course. That has always been the policy of the Government also in such matters. I put the question whether this is a matter in which there is any necessity to interfere with the sanctity of contracts. The price of commodities fell below normal

during a particular period, but, is that a sufficient argument for interference with existing contracts, with existing rights, with vested rights? Should we not have something more than that? It is now argued that the existing contracts should be interfered with on behalf of all people, because the prices have fallen and such fall has affected all people. In considering that question, we have to find out to what extent the debtors in the country have been affected by such fall in prices, and whether *all* debtors without any exception have been affected in such a manner and to such an extent as to make it impossible for all of them to repay their debts and to continue to maintain a fair standard of living. It is true that, in the case of certain debtors, they now find it impossible to keep down their debts and to maintain anything like a fair, normal standard of life. But, there are also certain other debtors who have plenty of resources even now, vast extents of property and income from other sources, and who can repay their debts to the last pie if they want and still continue to live, though not the same life of luxury that they have been living, a fairly decent life. That cannot be denied; I am glad that that has not been denied. It may be that these latter class of debtors may have to undergo some little inconvenience; but that is no justification for our legislating that they need not fulfil their contracts. If, with some little inconvenience, by sacrificing a bit of their luxuries which even now they continue to enjoy in spite of the fall in prices, they can possibly repay their debts, certainly they must pay; it is not fair that we advocate that the proposed legislation, intended solely for the relief of the hard-pressed, poor, small debtor who forms the bulk of the population of the country should be extended also to the more fortunate, rich debtor who can pay back his debt although only with some little inconvenience or difficulty. There are rich debtors in the country who, in spite of the fall in prices, even now get a fair margin of profit with which they can maintain themselves, though not with the same opulence as of old. It is not fair that we authorise such well-to-do persons to break their pledges, the terms of their contracts. Because we have in the country a large number of poor debtors who are really not able to pay back their debts, are we justified, I ask, in legislating that those who are really able to pay back their debts need not pay too? It is that question that the Government find difficult to decide. Sir, I was a member of the Debt Relief Committee; and when this matter came up for discussion there, I put it to every member of the Committee to point out whether, anywhere in the world, in any part of the globe..................

MR. KOTTUR KUNJUKRISHNA PILLAI: On a point of order; the honourable member is referring to what took place at the Committee.

MR. PUTHUPALLI S. KRISHNA PILLAI: I shall not refer to that, Sir; I may be permitted to put the question here. I admit I am not aware of all legislative enactments in the whole world. But, has any honourable member stated here, during the course of his speech, that at least in one State or Province, the Legislature had provided that *all* debtors in that State or Province shall be protected and that none of them

need fulfil their obligations? I ask, Sir, are we in Travancore so bad? Have we been reduced to such a stage that there is not one in this State who is now able to pay back his debts? No. It is on that ground that I say that Government can undertake a legislation to relieve only those who are really unable to pay. To provide that no debt need be repaid or that every debtor should get the same concession, would imply that there is no one in this State who can repay his debt, that there is not a single solvent debtor in Travancore to-day. Are we reduced to such a state, I ask. Government are not in a position to come to that conclusion. They are keenly interested in the welfare of the people, but also in the reputation of the State and its credit in the outside world.

MR. THOMAS CHANDY MUKKADAN: ഇവിടത്തെ കടക്കാർ മുഴുവനും കടം കൊടുത്തു തീർപ്പാൻ നിവൃത്തിയില്ലാത്ത നിലയിലാണിരിക്കുന്നതെന്നു മെമ്പർക്കു ബോദ്ധ്യമുണ്ടോ ?

MR. PUTHUPALLI S. KRISHNA PILLAI: No, I am not satisfied about that; because no one has stated, either in the Committee or here that the position is so bad; there is no basis for the Government to suppose that the people of Travancore have been reduced to such a state that we should proclaim to the world that there is not even one man in Travancore able to fulfil his obligations, to perform his contract.

MR. V. SANKARA MENON: Is it necessary, to enact this legislation, that every one in the State should be really unable to pay back his debt? Would it not suffice if a vast majority of the debtors find it unable to pay?

MR. PUTHUPALLI S. KRISHNA PILLAI: I cannot agree to the proposition that, because the majority of the debtors find it difficult to pay, the minority who are able to pay need not also pay; the minority ought not to take shelter under the majority like that; they should stand on their own legs, especially when they can do so. They should not take unfair advantage of the position of their less fortunate brethren. Government cannot support or strengthen any agitation not supported on principle.

MR. M. R. NARAYANA PILLAI: Once it is found that the majority of the debtors are not able to pay, is it not possible for the Government to legislate for all the debtors in the land?

MR. PUTHUPALLI S. KRISHNA PILLAI: I have already pointed out how the fact that there is a majority who are not able to pay and who therefore need protection could not justify our extending protection also to the minority who do not really need any such protection and who *can* pay.

MR. KOTTUR KUNJUKRISHNA PILLAI: May I ask whether the Legal Remembrancer is now stating the conclusions arrived at by Government?

MR. PUTHUPALLI S. KRISHNA PILLAI: I have not referred to any conclusions of Government; I am at pains to explain to the House the difficulties of Government in arriving at conclusions on this vexed and important matter.

MR. KAINIKKARA M. PADMANABHA PILLAI: What is the method or test which the Government propose to apply to find out the minority who are able to pay?

MR. PUTHUPALLI S. KRISHNA PILLAI: It is not possible, in the nature of things, to lay down any accurate test; a rough and ready method will have to be adopted, as has been done elsewhere. It is open to my honourable friends to suggest.

MR. KAINIKKARA M PADMANABHA PILLAI: Which is the State or Province that the honourable member has in view which has adopted such rough and ready method?

MR. PUTHUPALLI S. KRISHNA PILLAI: The Madras Act, for instance, says that no person paying land tax above a certain limit, assessed to income tax or profession tax, would be considered an agriculturist for the purposes of that Act.

MR. M. GOVINDAN (*Member, Sri Chitra State Council*): May I ask whether the fact that a person has been assessed to income tax is always an index as to his balance sheet?

MR. PUTHUPALLI S. KRISHNA PILLAI: I do not say so; I only said that that was the practical, rough and ready method adopted in Madras; that is all that is possible in this matter; there may be stray cases in which a person assessed to income tax is really worse than others not assessed to income tax; there may be several persons just on the margin, who may be wrongly included among agriculturists, or wrongly excluded. That is inevitable in applying such rough and ready methods.

MR. M. R. NARAYANA PILLAI: Where is the need to adopt any such rough and ready method?

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I have been at great pains to emphasise the distinction between the debtor really not able to pay and the debtor really able to pay, and to show how the latter could not, with any justification, be given the same relief which we propose to afford to the former.

Sir, as a member of the Travancore Legislature, I have never advocated a cause or course of action which cannot be supported on principle. There must be some justification for what we do.

MR. V. SANKARA MENON: "The greatest good to the greatest number," is that not a good principle to be followed?

MR. PUTHUPALLI S. KRISHNA PILLAI: But only 'to the greatest number', and not to *all*.

MR. M. SIVATANU PILLAI: Does the absence of an accurate test to distinguish between the debtor who can pay and the debtor who cannot pay, justify the same treatmant being accorded to all alike?

MR. PUTHUPALLI S. KRISHNA PILLAI. We are prepared to go only to the extent necessary, not a bit further; and, as I have already stated, only a rough and ready method is possible in the circumstances of the case.

MR. KOTTUR KUNJUKRISHNA PILLAI: Have the Government decided that a rough and ready method is going to be adopted?

MR. PUTHUPALLI S. KRISHNA PILLAI: No, Sir; Government have not yet come to any decision. I lay so much emphasis on this point because Government have been accused for what has been called unconscionable delay in bringing about the proposed legislation. I have been trying to explain to the House the difficulties of the Government in coming to conclusions on this important matter and the need for full discussion of all aspects of the question; in fact, the Legal Remembrancer was accused of having secreted the file in some almyrah in his office, and the officers of Government for not giving due importance to this matter. It was threatened that, unless the Bill was passed soon, there would be regular agrarian unrest throughout the country. It is in vindication of the position of Government and of my own position, that I have been saying so much about the difficulty of Government in the matter.

MR. DOMINIC JOSEPH: May I ask whether, in the present Debt Conciliation Act, any such distinction exists between the debtor who is able to pay and the debtor who is not able to pay?

MR. PUTHUPALLI S. KRISHNA PILLAI: That Act affords relief only to debtors whose main source of income is agriculture; it does not help an officer, for instance, getting a salary of Rs. 500.

MR. KAINIKKARA M. PADMANABHA PILLAI: Are the Goverument prepared to admit that there is no agriculturist in the country who is able to pay?

MR. PUTHUPALLI S. KRISHNA PILLAI: No, Sir; that is what I have been at pains to explain. Government are not satisfied that there is not even one agriculturist in Travancore who is really able to pay back his debt; this land is not absolutely devoid of such persons. We are not so bad as that. On behalf of Government I want to emphasise that we are not reduced to such a stage.

MR. KAINIKKARA M. PADMANABHA PILLAI: May I ask why, in the Conciliation Act, no distinction was made between the agriculturist who can pay and the agriculturist who cannot pay?

MR. PUTHUPALLI S. KRISHNA PILLAI: That Act provides merely for *voluntary* conciliation pure and simple; there was not even the slightest amount of *compulsion* there.

MR. M. R. NARAYANA PILLAI: Now that the debate is more or less coming to a close, would it not be possible for the Government to place before us the view-point of Government on this important matter?

PRESIDENT: Government are not yet prepared to do that; they still keep an open mind. The Legal Remembrancer is putting forward his point of view, as the other honourable members have put forward theirs, and they are entitled to as much weight at the hands of Government as the observations of the other honourable members.

MR. THOMAS CHANDY MUKKADAN: നാട്ടിന്റെ നാനാഭാഗങ്ങളിൽ നിന്നും ഇവിടെ വന്നിട്ടുള്ള പ്രതിനിധികൾ രണ്ടു ദിവസമായി നടത്തിയിട്ടുള്ള വാദപ്രതിവാദത്തിന്റെ ഫലമായി കിട്ടിയിട്ടുള്ള തെളിവുകളിൽ നിന്നും ഇതുപോലെയുള്ള ഒരു ബിൽ അത്യാവശ്യമാണെന്ന് ബഹുമാനപ്പെട്ട മെംബർക്ക് ബോധ്യമായിട്ടുണ്ടോ ?

MR. PUTHUPALLI S. KRISHNA PILLAI: Very many honourable members have supported the other view point also. And I believe that the honourable member who put the question must have himself heard the speeches delivered here. Sir, it is only on that ground and not on the fact whether the debtor is a speculator or whether he is improvident that this distinction, it was thought, ought to be maintained. Therefore, so far as the position of Government is concerned, it is difficult for them to come to the conclusion that a legislation must be undertaken for the purpose of liquidating the debts of all the people of the State because they could not reconcile themselves to the idea and come to the conclusion that there is no debtor in the land who is able to pay.

Upon the other point referred to, that is, regarding trade debts, I have to say a few words. Of course, there were some who advocated that traders also should be included in the scope of the Bill. But, the Bill as such does not touch the debts incurred after 1112, so that the Bill, it appears, confines its operation to the debts incurred before 1112. During this period, that is, before 1112, the trade debts incurred were more in number. Moreover, various representations were received by Government in which it was stated that trade debt whether dead or alive, whether realisable or unrealisable, should not be interfered with by legislation. The position of trade debts is very peculiar in this State. On a reading of the Census Report, Sir, we find that the total amount of debt incurred in the State comes to about Rs. 16 to 20 crores. The investments amount to about 10 crores. The balance of 10 crores represent the trade debts incurred by several transactions. This amount is every day changing from hand to hand for the purpose of industrial and commercial undertakings. A portion of this may have come from outside either in the shape of money or in the shape of material. This is not peculiar to Travancore alone. Trade comes into a country in the shape of foreign goods and foreign money. It goes back in money and goods in debts and in credits. Government have not been able to decide as to whether, in the peculiar nature of these trade transactions, they should adopt the Committee's view. They have not yet decided whether any trade debt should be touched or not.

Now, we come to co-operative debts. Some honourable members have stated that they must be brought under legislation. But, I may say that the co-operative debts are not a special feature in Travancore. All over India there is this problem of co-operative debts. All statutory enactments have studiously avoided these debts. But certain attempts are being made in those countries by the issue of instructions

by the authorities concerned for the purpose of the settlement of these co-operative debts. Attempts were made in Dekkan to include these debts in their Debt Relief Act. But they have failed. Whatever evils the movement may have, however much the co-operators have abused their opportunities, its assets should be treated as a national asset, and its liabilities as a national liability. Government, under the circumstances, find it difficult to deal with the problem.

In conclusion, I thank the honourable members for the very valuable suggestions they have made.

PRESIDENT: In bringing the proceedings to a close, it is my duty to thank the honourable members of both the Houses of the Legislature who have with great care and after much labour enabled the Government to understand their feelings and the ideas of the people whom they represent and the feelings generally of the country. It is perfectly clear from the discussions that have taken place here that there is a very strong sentiment in favour of early legislation in regard to debt relief. Government have taken note of that and will try to implement such wishes for the purpose of bringing about the desired result. There have undoubtedly been very strong sentiments expressed with regard to the scope of the relief to be given, and the help or assistance that Government may find it possible to extend. Dealing with the latter point first, a small point comparatively, the help which Government was asked to embark upon ranged from 10 crores of Mr. T. K. Kittan to zero of Mr. Sivathanu Pillai. And the question, of course, is bound up with what may be called the general financial and taxing programme of Government, with the Government budget and also with the possibility of raising money in open market and the way and time of raising it. Elsewhere, it will be noticed that there have been difficulties suggested in this matter. I am not a pessimist but nevertheless, the pendency of war has increased the difficulty of borrowing and the rate of interest is likely to be high. Government fervently hope that those creditors whose voice we have heard will realise that it is to their interest as well as to the interest of the debtors that they will help in the floatation of a possible loan or issue of debentures.

Now, with regard to the other matter which has evoked very strong speeches on both sides, the only thing that I wish to say is that I should have been personally gratified if there had been no reference to agitations and agrarian unrests and things of that kind. If Government propose to have a particular legislation passed, they would see that it is passed not because of, but in spite of, such threats. I trust that such threats will not be referred to on one side or the other. I may say on behalf of Government and with perfect candour that Government have not made up their minds as to the conclusions on the basis of which the Bill is to take shape. But they will pay their utmost attention to the sentiments expressed by the various honourable members on both sides. They represent large sections of the population and a large element of public opinion which it would be obligatory on Government to pay the utmost attention to. In this connection I must refer to some points of view which were overstated as the Legal

Remembrancer has rightly pointed out. Supposing a person has assets worth 5 lakhs of rupees; and he contracts debts amounting to Rs. 25,000 and supposing he cannot raise money on that 5 lakhs or that his assets are frozen. Then he becomes a debtor entitled to relief and scaling down. The question is, is such a person entitled to relief ? It is difficult to reconcile this case with equity. Therefore a proper boundary line should be fixed. And I give the assurance on behalf of Government that they would not deal light-heartedly with the opinions expressed by the honourable members of both the Houses but will endeavour to reconcile the divergent points of view.

Let me repeat my thanks to the honourable members for participating in this discussion. I have to refer to one more matter before I conclude. The debate has been of very great value and the country should have the benefit of the views that were expressed here. I fear that some kind of impression has been prevailing, especially among those who represent the Press, that the proceedings of these discussions will not see the light of day. It is not so. The proofs that are given to the honourable members, I hope, will be returned without delay.

MR. KAINIKKARA M. PADMANABHA PILLAI : Sir, we have not got the speeches.

PRESIDENT : I am only making an appeal to the honourable members to return their speeches corrected as soon as they are received. Very soon notices will be issued regarding the next meetings of the two Houses of the Legislature.

The Conference terminated at 4-45 p. m.

A. GUNAMONY,

Secretary to the Sri Mulam Assembly and the Sri Chitra State Council.

Annexure I.

MINUTES OF THE MEETING OF THE STANDING FINANCE COMMITTEE HELD ON THE 20TH JANUARY 1940/7TH MAKARAM 1115.

The first meeting of the Standing Finance Committee of the Sri Chitra State Council and the Sri Mulam Assembly was held in the Dewan's room, Public Offices, at 12 noon on Saturday, the 20th January 1940/7th Makaram 1115. M. K. Nilakanta Aiyar Esq., B. A., B. L., Chief Secretary to Government presided, under authorisation by the Dewan.

The following members were present:—

1. M. L. Janardhana Pillai Esq.,
   Member, Sri Mulam Assembly.
2. Varkala K. Madhavan Esq., B. A., B. L.,
   Member, Sri Mulam Assembly.
3. Kallur Narayana Pillai Esq.,
   Member, Sri Chitra State Council.
4. M. Govinda Pillai Esq., B. A.,
   Financial Secretary to Government.
5. G. Narayanan Tampi Esq., B. A., B. L.,
   Secretary to Government.

The following proposals relating to Demands for Supplementary Grants in the budget for 1115 were scrutinised and approved by the Committee:—

		Rs.
1.	Repairing rain damages to tanks and channels in the Kodayar project ...	18,900
2	Repairing the buildings at Oolampara for the accommodation of the Armed Reserve ...	17,000
3	Expenditure on account of the P. W. D. Advisory Committee ...	1,860
4.	Additional grant for the Water Works and Drainage schemes in the State ...	3,76,007
5.	Additional grant for completing the P. W. D. Work under progress in the Ceramic Factory at Kundara ...	20,000

6. The proposal relating to the construction of a building for housing the proposed Sports Factory at a cost of Rs. 3,500 was next considered by the Committee. Mr. M. L. Janardhana Pillai wanted to know the terms of the agreement proposed to be entered into with Messrs. The Northland Sports Works of Sailkot. The Chairman read out the terms. Thereupon Mr. Janardhana Pillai observed that he could approve the proposal only if the firm would waive one of the conditions in the agreement

viz., that Government should indemnify the firm against loss. He said that Government may also waive their rights to a share of the profits. The other two non-official members also agreed in the view expressed by Mr. Janardhana Pillai.

The Committee next considered the following proposals and agreed to the provision of the amounts noted against each in the budget as supplementary grants :—

		Rs.
7.	Purchase of machinery for the Development Department ...	11,205
8.	Additional funds for the Development Department for the purchase of Ascu chemicals etc.	14,000
9.	Construction of Rural bridges ...	18,000
10.	Additional grant for payment of rent for the building in which the office of the Director of Public Health is now housed ...	1,000
11.	Additional grant under T. A. for the Advocate General's office ...	800
12	Appointment of a temporary Government Pleader to conduct the Chengannur riot case in the Quilon Sessions Court ...	875
13.	Additional grant under the item 'Printing of Malayalam Readers and copy books' ...	50,000

A statement of expenditure authorised by Government under Section 32 of the Legislative Reforms Act, since the last session of the Legislature was placed before the Committee.

The Committee adjourned at 12·45 P. M.

Huzur Cutcherry,

Trivandrum, 3rd February 1940.

G. NARAYANAN TAMPI,
Convener,
Standing Finance Committee.

Annexure II.

REPORT OF THE PUBLIC ACCOUNTS COMMITTEE ON THE AUDIT REPORT AND APPROPRIATION ACCOUNTS FOR THE YEAR 1113 M. E.

1. The Committee on Public Accounts for the year 1115 M. E. constituted under Government Order D. Dis. No. 2053/39/Legis., dated 8-9-1939, held its sitting on the 16th December 1939.

2. The Audit Report and Appropriation Accounts for the year 1113 prepared by the Accountant General was examined in detail.

APPROPRIATION ACCOUNTS (VOTED.)

3. *Comparison of actuals with grants.* A statement showing the total grant voted by the Legislature, Supplementary and Additional grants sanctioned during the year, the expenditure against these grants and the savings, is given below :—

Particulars.	Expenditure charged to revenue including working expenses.	Capital expenditure and investments on reproductive works.	Loans and Advances	Total.
Amount voted by the Legislature .	1,63,60,724	81,61,712	15,60,600	2,60,83,036
Supplementary grants voted .	1,24,761	1,00,000	..	2,24,761
Additional grants sanctioned under Section 32 of Act II of 1108 .	4,54,868	3,69,000	..	8,23,868
Reappropriations .	150	..	..	150
Surrenders .	2,500	..	..	2,500
Final aggregate grant .	1,69,37,703	86,30,712	15,60,600	2,71,29,015
Final aggregate expenditure .	1,64,87,235	62,73,288	15,99,861	2,43,60,384
Savings .	4,50,468	23'57,424	—39,261	27,68,631

4. *Savings.* A statement showing the savings during 1112 and 1113 M. E. is given below for comparison :—

Year	Expenditure charged to revenue including working expenses.	Capital Exdenditure and investments on reproductive works.	Loans and Advances.	Toa .
1112	8·08	33·62	5·16	46.86
1113	4·51	23·57	—.39	27·69

The savings amounted to Rs. 27·69 lakhs or 10·21 per cent of the final aggregate grant during 1113 against 18·35 per cent. during 1112. Thus it may be seen that there is considerable improvement in budget forecasting even though the expenditure slightly exceeded the final grant under Loans and Advances. A list of the budget heads under which savings occurred is given on pages 62 to 64 of the report. The reasons for the savings are explained in the respective appropriation accounts.

As in 1112, the major portion of the savings occurred under Capital Expenditure and Investment on Reproductive Works. The main items of capital expenditure under which the savings occurred with brief explanations for the same are given below :—

	Lakhs of rupees.
Town Planning Scheme	0·51
The Council Chamber	0·77
Extension of the Public Offices Building—South Wing	1·50
University Buildings	0·88
Construction of Tobacco Bankshall	0·50
Trivandrum Electric Supply	0·21
Pallivasal Hydro-Electric Scheme	7·92
Telephone—Trunk Line	0·56
Broadcasting	1·45
Willingdon Water Works	0·80
Water Supply to the Municipal Towns of Alleppey, Shencottah, &c.	4·68
Trivandrum Drainage Scheme	2·70

The savings under Town Planning Scheme are stated to be due to short outlay on works consequent on the delay in getting sanction to estimates, delay in the acquisition of lands, &c. Under Council Chamber the savings resulted on account of the fact that though the work was practically finished during the year payments were not made as some finishing works then remained to be done. The extension of the Public Offices South Wing was not taken up, as Government ordered that it might lie over and as such the full provision made therefore lapsed. The savings under University Building occurred due to the fact that no substantial works could be taken up during the year as the University began to function only from the middle of the year. The provision made for the construction of a Tobacco Bankshall at Trivandrum lapsed as the revised estimate for the work was not ready.

Under Trivandrum Electric Supply the savings occurred under (i) Purchase and Erection of a 7th Generating Set, (ii) Extension of overhead lines and (iii) service connections. Under item (i) it was due to the low rate of the acceptad tender and under items (ii) and (iii) due to the fact that the requisitions for connections, &c., on which the expenditure was dependent did not come up to the anticipated level.

Under Pallivasal Hydro Electric Scheme: the savings were partly under Civil Works controlled by the Chief Engineer and partly under Electrical works carried out by the Electrical Engineer. The savings

under Civil Works are stated to be due to the fact that works could be taken up only during certain months of the year, while under the Electrical Works, the savings resulted on account of the delay in the completion of the Civil Works. The savings under Telephone was due to the fact that though the grant under this head was augmented by diversion of Rs. 1·48 lakhs expecting the receipt of certain materials ordered, the addition proved wholly unnecessary. Under Broadcasting the savings were due to the fact that the works could not be taken up until the staff deputed for training at Delhi returned.

Under the Willingdon Water Works the short outlay was due to non-payment in respect of certain works as the claims could not be finally settled during the year. In the case of the water supply schemes in the Municipal towns of Alleppey, &c., the savings are stated to be due to the delay in the supply of pipes and specials, disbursement of certain claims for works done and also due to the unusual rains during certain months of the year which prevented much progress being made with the works. Under Trivandrum Drainage scheme, savings occurred as a result of the delay in the acquisition and handing over of lands required for the work, the non-payment of awards by the Revenue Department during the year, etc.

5 *Additional expenditure authorised under Section 32 of Act II of 1108*. A statement showing a list of expenditure authorised by Government under Section 32 of Act II of 1108 is given as Annexure A. It may be seen therefrom that a sum of Rs. 8,23,868 was authorised by Government under this section during the year under report as against Rs. 2,47,133 in the previous year. The purposes for which these amounts were sanctioned, detailed in the statement on pages 53 to 57 of the Audit Report and Appropriation Accounts were examined and we found that such authorisation was resorted to only under extremely emergent circumstances. We noted that statements of expenditure authorised by Government under Section 32 during the period between two meetings of the Legislature were placed before the House at the next meeting by the Financial Secretary to Government for the opinion of the House.

6. *Reappropriation.* During the year a sum of Rs 150 was reappropriated from the grant under Administration of Justice-Civil and Sessions Courts to the non-votable item "Batta to witness". We noted that this was admissible under the rules. There was no irregular reappropriation during the year.

7. *Excess Expenditure under voted grants.* A statement of grants under which the actual expenditure exceeded the final aggregate grant during the year is appended to the report as Annexure B. It may be seen therefrom that excess expenditure occurred during the year under 7 grants as against 5 during 1112. These were examined and the reasons for the excess are given below :—

The excess expenditure under grant No. XIII General Administration, Heads other than the Financial Secretariat, Account Office, &c., occurred chiefly under Huzur Office Contingencies-Telephone charges, Improvements to the Huzur Tower Clock, Office expenses and miscellaneous, &c., and partly under Revision of the State Manual. Under 22 Industries, the excess was largely due to the expediting of the P. W. portion of the works connected with the Ceramic Factory and the adjustment of a share of expenditure incurred on establishment and tools and plant under 31-Buildings, Communications, &c.. to this head. The excess under Registration occurred on account of the payment of leave allowances to Sub-Registrars and their establishment for which no separate provision was made in the budget. The adjustment during 1113, of the value of yarn supplied from the Sales Depot, Trivandrum, to the Central Prison in 1111, resulted in the small excess expenditure under Jail Manufactures. Under Stationery and Printing the excess was mainly under Printing due to heavy expenditure incurred in connection with the printing of the Malayalam Readers, copy books &c. The excess under Anchal was due to the payment of leave allowances to the Anchal Office establishment. Under Mint Advance the excess was due to the fact that silver coins worth Rs. 2 lakhs were obtained during the year. The apparent excess is due to the adjustment of the gain by debit to this advance head and credit to gain on silver coinage. The actual expenditure for minting silver coins for the face value of Rs. 2 lakhs was well within the original budget grant.

8. *Unnecessary Supplementary grants (voted).* The various items under which the grants originally voted were supplemented by additional grants either voted by the Legislature or sanctioned by Government under Section 32 of Act II of 1108 and where the additions proved to be wholly unnecessary are given in Annexure C. The Financial Secretary to Government had obtained from the Heads of Departments concerned detailed information regarding the circumstances under which the additional grants were sought for when the expenditure was capable of being accommodated within the original sanctioned grant. These were scrutinised and we found that these additional grants were mostly obtained during the early part of the year under report when the Departmental Heads were not in a position to estimate any savings in the sanctioned grants. In certain cases we observed that the items for which the supplementary grants were obtained related to "new services" for which funds could not be found by reappropriation from the sanctioned grant. For further details *vide* para 7 of the proceedings.

9. *New Service.* Under Rule 10 of the Public Accounts Committee Supplemental Rules, the Financial Secretary to Government had placed before the Committee a list of supplementary grants obtained by the Government for schemes of new expenditure treated as "New Services" for the opinion of the Committee as to whether they are "New Services" or not (*vide* Annexure D). The list was scrutinised and approved by the Committee.

Audit Reports.

10. This part of the report deals with the cases of financial irregularities in the several departments detected in audit or reported to Government by the Departmental Officers. The cases of defalcations, misappropriations, &c., excepting those involving amounts less than Rs. 10 are detailed on pages 194 to 209 of the Audit Report and Appropriation Accounts. We noted that exemplary punishments were meted out to the persons responsible for the defalcations and irregularities.

11. The irregularities on works outlay are dealt with in a separate chapter on pages 210 to 224 of the Audit Report and Appropriation Accounts. The principal types of irregularities found are detailed on page 210 and instances supporting these are given on the subsequent pages.

12. Chapter IV of the Audit and Appropriation Report deals with the audit activities of the Accountant General's Office during 1113. It may be seen therefrom that the accounts of 135 offices and institutions were audited by the Outside Audit Branch of the Accountant General's Office and that the irregularities detected were brought to the notice of the authorities concerned or Government. It is stated that during the year 9 P. W. Offices, 2 Divisional treasuries and 6 Sub Treasuries were taken up for audit besides the special audit of 9 institutions ordered by Government. In the matter of revenue receipts it is stated that monthly statements were sent as usual to the Heads of Departments concerned to enable them to exercise a proper control over the revenue collections and to reconcile the difference between the figures received from the District Officers and the demand statements.

13. As in the previous year we append to our report the minutes of our proceedings which we consider should be treated as part of this report.

PROCEEDINGS OF THE MEETING OF THE PUBLIC ACCOUNTS COMMITTEE DATED SATURDAY THE 16TH DECEMBER 1939.

PRESIDENT :—

1. M. R. Ry. M. K. Nilakanta Aiyar, Avl.,
   Chief Secretary to Government.
2. „ M. Govinda Pillai, Avl.,
   Financial Secretary to Government.
3. „ N. Krishna Aiyar, Avl.,
   Member, Sri Chitra State Council.
4. „ M. G. Kesava Pillai, Avl.,
   Member, Sri Mulam Assembly.
5. „ P. Narayana Pillai, Avl.,
   Member, Sri Mulam Assembly.

M. R. Ry., S. Sundararajan, Avl., Ag. Accountant General was also present.

1. The Committee met in the Dewan's room, Public Offices, at 11-30 A. M.

2. Under authorization by the Dewan, the Chief Secretary to Government presided.

3. The question, as to whether it would not be more useful to have the Audit and Appropriation Report of a year ready for review before the presentation of the next Budget was first raised. The President pointed out that, although the Report regarding the accounts of 1112 was ready for the Committee's consideration even in August last year, the report regarding the accounts of 1113 had been delayed till December this year. The Financial Secretary assured that the Report regarding the Accounts of 1114 would be got ready earlier and said that the new Accountant General would see to it.

4. *Kuttanad Water Supply.* Mr. N. Krishna Aiyar referred to page 112 of the Report and asked for details as to the sum of Rs. 5776 expended in 1113. He was informed that the members of the Committee had the right, if they considered it necessary, to request Government to summon the Heads of Departments whom they would like to interrogate for purposes of information or explanation of points which needed elucidation according to them and that, in the absence of such previous requisition, the only possibility was to get the information from the Head of the Department concerned.

5. *Survey of Minor Circuits.* Mr. P. Narayana Pillai referred to page 82 of the report and asked whether the work of Survey of Minor Circuits was completed and if not, why a portion of the provision made for the purpose was allowed to lapse. He added that the work could have been pushed through further by the appointment of additional hands for the purpose.

The President explained the nature of the work, and stated that the work had to be done very carefully and that by experienced surveyors as otherwise it would lead to further complications. It was pointed out that the normal staff of the department could not attend to this special work and that therefore fresh staff had to be appointed for the purpose, and that the nature of the work was such that it could not be hurried through.

6. *Irrigation Fund.* Mr. Narayana Pillai also referred to the lapsing of funds under the Irrigation Fund and asked whether the works could not be proceeded with more vigorously so as to utilise all the funds provided for the purpose. The Financial Secretary to Government pointed out that the unspent balance in the allotment under this head would not lapse but was added on to the corpus of the Irrigation Fund so that the delay would not prejudice the work.

7. *Unnecessary Supplementary grants (voted).* The Financial Secretary to Government informed the Committee that he had obtained information from Heads of Departments on all matters on which the non-official members of the Committee would like to have further information. For instance he read out the explanation furnished by the Heads of Departments in regard to the circumstances under which unnecessary supplementary grants were obtained by them when the expenditure was capable of being met from the sanctioned grants for the departments. He stated that it was clear from the information furnished that the additional grants were sought for by the Departmental Heads during the early part of the year when it was not possible for them to anticipate any savings under the sanctioned grants. He then cited as an instance the additional grant of B. Rs. 1 lakh under 20 Education—Excluding Travancore University and All India Oriental Conference, sanctioned for meeting the expenditure on account of His Highness the Maharaja's donation to the Andhra University and stated that the Department could not have anticipated savings in the sanctioned grant to meet the same.

The Committee passed the Audit Report and Appropriation Accounts and adjourned at 11-45 A. M.

ANNEXURE A.

Supplementary and additional grants sanctioned during 1113 M. E.

Name of Major Head.	Sanctioned under non-voted Heads.	Voted by the Legislature.	Sanctioned under Section 32 of Act II of 1108.	Total.
	Rs.	Rs.	Rs.	Rs.
1. Land Revenue	11,488	1,891	1,568	14,947
2. Taxes on Income	6,600	4,230	6,541	17,371
6. Forest	8,700	..	16,800	25,500
12. Panivagai	85,810	..	..	85,810
13. H. H. the Maharaja's Garage and Stables	4,628	..	..	4,628
15. General Administration	...	..	2,000	2,000
16. Administration of Justice	2,175	61,430	5,000	68,605
20. Education	..	..	1,01,786	1,01,786
21. Agriculture and Fisheries	...	6,594	5,707	12,301
22. Industries	..	1,200	500	1,700
24. Uplift of Backward Communities	..	..	10,000	10,000
25. Medical, Public Health and Sanitation	..	5,316	1,59,752	1,65,068
26. Devaswoms	4,478	..	...	4,478
29. Stationery and Printing	..	..	56,700	56,700
30. Scientific and Miscellaneous departments	..	4,100	17,793	21,893
31. Buildings, Communications etc.	1,00,127	40,000	45,721	1,85,848
33. Maramat	3,220	..	..	3,220
35. Miscellaneous Political Expenditure	1,53,397	..	...	1,53,397
41. Miscellaneous	11,405	..	...	11,405
XXV. Productive Irrigation Working Expenses	...	..	25,000	25,000
Capital expenditure not charged to Revenue	..	..	...	...
The Travancore House, Madras	11,770	..	...	11,770
Debt Heads—Investments on Reproductive works	..	1,00,000	3,69,000	4,69,000
Total	4,03,798	2,24,761	8,23,868	14,52,427

ANNEXURE B.

Excess expenditure under voted grants.

Grant No.	Name of Grant.	Original Grant.	Supplementary and additional grants Voted.	Supplementary grant sanctioned under Sec. 32 of Act II of 1108.	Diversions and surrenders.	Final Grant.	Actual Expenditure.	Excess over final Grant.
		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
XIII	15. General Administration — Heads other than Financial Secretariat, Account Office, Legislative Bodies and Public Service Commissioner	2,62,273	..	2,000	..	2,64,273	2,66,940	9.667
XVIII	22. Industries	1,53,726	1,200	500		1,55,426	1,49 892	
	D. H,—Investments on Reproductive works—The Clay Refining and Porcelain Factory	2,25,000	1,00,000	19,000	...	3,44,000	3,59,383	
	Do. Rubber Factory	..	..	..	...	..	1,660	
	Total of Grant No. XVIII.	3,78,726	1,01,20…	19,500	..	4,99,426	5,10,935	11,509
XXI	8. Registration	3,22,673	..	..	...	3,22,673	3,25,796	3,123
XXII	17. Jails	99,975	...	...	..	99,975	1,00,388	413
XXVII	29. Stationery and Printing	2,63,466	...	56,700	..	3,20,166	3,42,610	22,444
XXX	XXIX Anchal-working expenses	3,82,436	...	...	..	3,82,436	3,86,836	
	36. Anchal—Capital Account	6,880	..	..	..	6,880	5,791	
	Total of Grant No. XXX	3,89,316	...	...	...	3,89,316	3,92,627	3,311
XXXVIII	Debt Head—Coinage Account—Mint Advances	1,00,000	..	..	..	1,00,000	2,01,175	1,01,175
	Total	18,16,429	1,01,200	78,200	..	19,95,829	21,40,471	1,44,642

ANNEXURE C.

Unnecessary Supplementary Grants.

Grant No.	Name of Grant.	Original Grant.	Supplementary Grant voted.	Additional Grant sanctioned under Sec: 32.	Final Grant.	Actual Expenditure.	Savings compared with original grant.
		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
I	1. Land Revenue						
	2. Taxes on Income and Capital Expenditure--Survey of Minor Circuits	10,08,917	6,121	8,109	10,23,147	9,92,062	16,855
III	20. Education excluding Travancore University and All India Oriental Conference	48,42,680	...	1,01,786	49,44 466	47,67,336	75,346
IV	20. F. Travancore University, All India Oriental Conference and 24. Uplift of Backward Communities	1,08,790	...	10,000	1,18,790	79,666	29,124
XIX	21. Agriculture and Fisheries	2,37,181	6,594	5,707	2,49,482	2,32,923	4,258
	Total	61,97,568	12,715	1,25,602	63,35,885	60,71,987	1,25,581

ANNEXURE D.

Under Rule 10 of the Public Accounts Committee Supplemental Rules, I beg to place before the Public Accounts Committee the following list of supplementary grants obtained by the Government during 1113 for schemes of new expenditure treated as "new services" for the opinion of the Committee whether they are "new services" or not.

Name of Major Head.	Amount Rs.	Particulars.
1 Land Revenue.	1,891	For appointment of a special officer and staff for investigation of the different varieties of Oodukur tenure obtaining in the various taluks of the State.
2. Taxes on Income.	4,230	For the reorganisation of the Income Tax Department temporarily with effect from 1st Kumbhom 1113.
16. Administration of Justice.	11 250	For the recruitment of and remuneration to Government Pleaders under the new rules.
21. Agriculture and Fisheries.	1,844	For the appointment temporarily of two Veterinary inspectors and staff at Meenachil and Perumbavoor for carrying on a campaign against anthrax.
22. Industries.	1,200	For the purchase of two drill-motion power-looms for manufacture of drill and twill cloths in the Central Technological Institute, Trivandrum.
25. Medical, Public Health and Sanitation.	900	For entertainment of a specialist in Tubercular diseases.
Do.	3,927	For opening an out-patient dispensary on the eastern side of Alleppey town.
Buildings, Communications, etc.	3,000	For investigation for supply of fresh water on the coastal regions of the State by taking deep boring.
Debt—Head Investments on reproductive works.	1,00,000	For purchase of new machinery and for electrification of the Ceramic Factory, Kundara and for construction of buildings.

Trivandrum,
16th December 1939.

M. GOVINDA PILLAI,
Financial Secretary to Government.

Annexure III.

MOTIONS PASSED BY THE SRI MULAM ASSEMBLY REGARDING THE TRAVANCORE PUBLIC SERVICE RECRUITMENT RULES.

1. Public Service may be defined as in the T. S. R. Manual with the following alterations: --

(*a*) The employment as Munsiffs should be included in Public Service.

(*b*) Appointments in the University and the institutions under it should be excluded.

(*c*) Employment in state-aided schools should be excluded from Public Service provided however that in future when sanctioning new schools preference must be given to applications from communities having fewer schools other conditions being satisfactory.

2. These rules apply to initial recruitments only and not to promotions, and confirmation shall be determined by the date of first recruitment.

3. Public Service may be divided into :—

(*a*) Higher Division.

(*b*) Lower Division.

i. Inferior Service as defined in the Travancore Service Regulations.

ii. Superior Service.

(1) Ministerial.

(2) Executive.

The Higher Division comprises all appointments of which the actual initial salaries, exclusive of all allowances, at the time when any recruitment thereto is made, are Rs. 150 or more per mensem.

The Lower Division comprises all appointments of which the actual initial salaries, exclusive of all allowances, at the time when any recruitment thereto is made, are less than Rs. 150 per mensem.

4. Appointments to the Higher Division shall be by fresh recruitments and promotions in the proportion 1: 2.

No change need be made in the Rules regarding the T. C. S. Examination. But the claims of those communities that fail to get representation through the competitive examination may be considered when making nominations.

Recruitment to the cadre of Munsiffs from Service and the Bar shall be in the ratio of 1: 3.

Even though the cadre comes under the Higher Division the recruitments shall be made according to the communal rotation shown below in the case of the Lower Division.

5. Recruitment to inferior service and to the ministerial and executive branches of the superior service respectively in the Lower Division of Public Service shall be made by rotation on the basis of the population of communities; provided that the candidates selected possess the minimum qualification prescribed.

When there are more than the required number of candidates from any particular community the best qualified among them may be chosen.

If there is no suitable candidate available from any community which should be selected in compliance with the rules the said community shall be ignored in making the said selection.

6. The minimum qualifications prescribed in schedules I B and C of the T. S. R. Manual may be accepted.

7. Communities, for the purposes of the above rules shall be divided into three main religious groups *viz.* Hindus, Christians and Muslims. Out of every 51 appointments 31 appointments shall be given to Hindus, 16 to Christians and 4 to Muslims.

8. The recruitments from these three religious groups may be made according to the following rotation:

1. Muslim
2. Christian
3. Hindu
4. Hindu
5. Christian
6. Hindu
7. Hindu
8. Christian
9. Hindu
10. Hindu
11. Christian
12. Hindu
13. Hindu
14. Muslim
15. Christian
16. Hindu
17. Hindu
18. Christian
19. Hindu
20. Hindu
21. Christian
22. Hindu
23. Hindu
24. Christian
25. Hindu
26. Hindu
27. Muslim
28. Christian
29. Hindu
30. Hindu
31. Christian
32. Hindu
33. Hindu
34. Christian
35. Hindu
36. Hindu
37. Christian
38. Hindu
39. Hindu
40. Muslim
41. Christian
42. Hindu
43. Hindu
44. Christian
45. Hindu
46. Hindu
47. Christian
48. Hindu
49. Hindu
50. Christian
51. Hindu

9. Hindus may be sub-divided into the following communities and each sub-section given the number of appointment noted against it:—

1.	Brahmin	1
2.	Nair	9
3.	Ezhava	9
4.	Visvakarma	2
5.	Nadar	2
6.	Vellala	1
7.	Other forward Hindus	1
8.	Pulaya (cheraman)	2
9.	Kurava	1
10.	Paraya (Sambavar)	1
11.	Other backward Hindus	2

10. The Hindu vacancies in the rotation shown in clause 8 may be filled up in the order shown below:—

1. Pulaya (Cheramar)
2. Nadar
3. Ezhava
4. Nair
5. Kurava
6. Brahmin
7. Kammala (Visvakarma)
8. Ezhava
9. Nair
10. Pulaya (Cheramar)
11. Ezhava
12. Nair
12. Vellala
14. Other backward Hindu
15. Ezhava
16. Nair
17. Nadar
18. Paraya (Sambavar)
19. Ezhava
20. Nair
21. Kammala (Visvakarma)
22. Ezhava
23. Nair
24. Other forward Hindu
25. Ezhava
26. Nair
27. Other backward Hindu
28. Ezhava
29. Nair
30. Ezhava
31. Nair

N. B.—After every two non-Malayala Brahmin one Malayala Brahmin must be appointed.

11. Christians may be sub-divided into the following communities and each sub-section given the number of appointments noted against it.

1.	Syrian Catholics	5
2.	Latin Catholics	4
3.	Jacobite Syrian	3
4.	Marthomites	1
5.	S. I. U. Church	1
6.	Anglicans	1
7.	Other Christians	1

12. The christian vacancies in the rotation shown in clause 8 may be filled up in the order shown below :—

1. Anglican
2. Jacobite Syrian
3. Latin Catholic
4. Syrian Catholic
5. Jacobite Syrian
6. Latin Catholic
7. Syrian Catholic
8. Other Christians
9. Syrian Catholic
10. Jacobite Syrian
11. Latin Catholic
12. Syrian Catholic
13. S. I. U. Church
14. Marthomite
15. Latin Catholic
16. Syrian Catholic

13. There shall be a Public Service Commissioner who will be an officer of high status.

14. There shall also be an advisory committee consisting of not more than seven non-official members, consisting of a Nair, an Ezhava, a Backward class Hindu, a Catholic, a non-Catholic Chiistian a Muslim and a lady to advise the Commissioner.

15. The above rules shall be in force for the next three years, at the end of which period the position shall be reviewed by the Government in the light of conditions then existing.

Annexure I.

THE TRAVANCORE CHILD MARRIAGE RESTRAINT BILL.

(As passed by the Sri Mulam Assembly.)

Whereas it is expedient to restrain the solemnisation of child Marriages; it is hereby enacted as follows:—

Short title and extent.

1. (i) This Act may be called "The Travancore Child Marriage Restraint Act of 111 ."

(ii) It extends to the whole of Travancore, and shall come into force atonce.

2. In this Act, unless there is anything repugnant in the subject or context,—

(a) "child" means a person who, if a male, is under eighteen years of age, and if a female, under fourteen years of age;

(b) "child marriage" means a marriage in which either of the contracting parties is a child;

(c) "contracting party" to a marriage means either of the parties whose marriage is or is about to be thereby solemnised; and

(d) "minor" means a person of either sex who is under eighteen years of age.

Punishment for an adult belew 21 years of age marrying a child.

3. Whoever, being above eighteen years of age and below twenty-one, contracts a child marriage shall be publishable with a fine which may extend to one-thousand rupees.

Punishment for person above 21 years of age marrying a child.

4. Whoever being above twenty-one years of age, contracts a child marriage shall be punishable with simple imprisonment which may extend to one month or with fine which may extend to one-thousand rupees or with both.

Punishment for solemnising a child marriage.

5 Whoever performs, conducts or directs any child marriage shall be punishable with simple imprisonment which may extend to one month, or with fine which may extend to one thousand rupees, or with both, unless he proves that he had reason to believe that the marriage was not a child marriage.

Punishment for parent or guardian concerned in a child marriage.

6. (i) Where a minor contracts a child marriage, any person having charge of the minor whether as a parent or guardian or in any other capacity, lawful or unlawful, who does any act to promote the marriage or permits it to be solemnised, or negligently fails to prevent it from being solemnised, shall, be punished with simple imprisonment which may extend to one month, or with fine which may extend to one thousand rupees, or with both;

Provided that no woman shall be punishable with imprisonment.

(ii) For the purpose of this section, it shall be presumed unless and until the contrary is proved, that, where a minor has contracted a child marriage the person having charge of such minor has negligently failed to prevent the marriage from being solemnised.

7. Notwithstanding anything contained in Section 170 of the Code of Criminal Procedure no court other than that of a Magistrate of the First Class shall take cognizance of, or try, any offence under this Act.

Jurisdiction under this Act.

8. The court may take cognizance of an offence under this Act, either upon complaint made, or information laid before it, within one year from the date on which the offence is alleged to have been committed.

9. (i) When the Court takes cognizance of any offence under this Act, upon a complaint, it may, at any time after examining the complainant and before issuing process for compelling the attendance of the accused, for reasons to be recorded in writing require the complainant to execute a bond, with or without sureties, for a sum not exceeding one hundred rupees, as security for the payment of any compensation which the complainant may be directed to pay under Section 227 of the Code of Criminal Procedure and if such security is not furnished within such reasonable time as the court may fix the complaint shall be dismissed.

Power to take security from the complainant.

(ii) A bond taken under this section shall be deemed to be a bond taken under the Code of Criminal Procedure and Chapter XL of that Code shall apply accordingly.

10. (i) The Court may, if satisfied from information laid before it through complaint or otherwise, that a child marriage in contravention of this Act, has been arranged or is about to be solemnised, issue an injunction against any of the persons mentioned in Clauses 3, 4, 5 and 6, prohibiting such marriage ;

Provided that no injunction under the sub-clause shall be issued against any person unless the Court has previously given notice to such person and has afforded him an opportunity to show cause against the issue of the injunction.

Provided also that the Court may on the application of any person aggrieved rescind or alter any order made under this sub-clause.

(ii) Whoever knowing that an injunction has been issued against him under sub-clause (i) of this clause disobeys such injunction, shall be punished with imprisonment of either description, for a term which may extend to three months or with fine which may amount to one thousand rupees, or with both.

Provided that no woman shall be punishable with imprisonment.

11. Our Government may, by notification in the Government Gazette exempt any marriage in Travancore from the operation of this Act, on application made in that behalf by the legal guardian of the bride or bridegroom whoever is a child.

Annexure II.

THE TRAVANCORE HINDU GAINS OF LEARNING BILL.

An Act to remove the doubts as to rights of a member of a Hindu undivided family in property acquired by him by means of his learning.

Whereas it is expedient to remove the doubt, and to provide an uniform rule as to the rights of a member of a Hindu undivided family in property acquired by him by means of his learning:

It is hereby enacted as follows:—

Short title, extent and Commencement.

1. (1) This Act may be called the Travancore Hindu Gains of Learning Act.

(ii) It extends to the whole of Travancore.

(iii) It shall come into force at once.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context.—

(a) "Acquirer" means a member of a Hindu undivided family who acquired gains of learning;

(b) "Gains of learning" means all acquisitions of property made substantially by means of learning whether such acquisitions be made before or after the commencement of this Act and whether such acquisitions be the ordinary or the extraordinary result of such learning; and

(c) "learning" means education whether elementary, technical, scientific, special or general, and training of every kind which is usually intended to enable a person to pursue any trade, industry, profession or avocation in life.

Gains of learning not to be held not to be separate property of acquirer merely for certain reasson.

3. Notwithstanding any custom, rule or interpretation of the Hindu Law, no gains of learning shall be held not to be the exclusive and separate property of the acquirer merely by reason of—

(a) His learning having been, in whole or in part, imparted to him by any member living or deceased of his family, or with the aid of the joint funds of his family, or with the aid of the funds of any member thereof; or

(b) himself or his family having, while he was acquiring his learning, been maintained or supported wholly or in part by the joint funds of his family, or by the funds of any member thereof.

4. This Act shall not be deemed in any way to affect:—

Savings.

(a) the terms or incidents of any transfer of property made or affected before the commencement of this Act;

(b) the validity, invalidity, effect or consequences of anything already suffered or done before the commencement of this Act;

(c) any right or liability created under a partition or an agreement for a partition of joint family property made before the commencement of this Act; or

(*d*) any remedy or proceeding in respect of such right or liability or to render invalid or in any way affect anything done before the commencement of this Act in any proceeding pending in a court at such commencement; and any such remedy and any such proceeding as is herein referred to may be enforced, instituted or continued, as the case may be, as if this Act had not been passed.

OBJECTS AND REASONS.

The habits and customs of persons following the Hindu system of inheritance in Travancore are more or less the same as those in the neighbouring British India. So far as the devolution of gains of learning of Hindus in British India is concerned, existing doubts have been removed by the passing of the "Gains of Learning Act XXX of 1930." In Travancore the decisions of our High Court even from the earliest times cannot be said to be in conformity with the altered and changing sentiments of the Hindu community. In VI T. L. J. 21 it was held that the "presumption in Hindu law is that property standing in the name of any member of a Hindu coparcenary possessing a nucleus of joint family property belongs to such family." This decision was followed in 17 T. L. J. 693 at 701. Later on in 3 T. L. T. 657 also, it was held that where there is a nucleus of ancestral property capable of yielding an income the presumption is "that the acquisition in question is joint family property." This question was the subject matter of discussion in our courts even from earlier days could be seen from the ruling in 2 T. L. R. 14 at 16, 8 T. L. R. 135, 17 T. L. R. 10 etc. In view of the close relationship of the Hindus of this State with their brethren in British India it is highly necessary to have a similar legislation in our State removing the existing difficulties. The important result of the proposed Bill, if passed, will be that it will immensely improve the position of the female members of Hindu family. The widow and the daughter of the acquirer, often left helpless will, in the absence of a male issue take by inheritance the deceased's gains of learning in preference to distant male members, who can, under the present law lay claim to the same by survivorship.

To remove such hardships and to be on an equal status with our Hindu brethren in the neighbouring British India this Bill is proposed to be introduced. This Bill is a reproduction of the Hindu Gains of Learning Act XXX of 1930 with no alterations.

G. NARAYANA AIYAR,
Member, Sri Chitra State Council.

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